

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

**MICHAEL SCOTT,
Plaintiff,**

v.

CASE NO. 1:13-cv-104-MW/GRJ

UNITED STATES OF AMERICA,

Defendant.

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION**

This Court has considered the Magistrate's Report and Recommendation, ECF No.10, filed September 5, 2013. No response having been filed by the Plaintiff, upon consideration,

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as this Court's opinion.

The Clerk shall enter judgment stating, "This case is **DISMISSED** pursuant to 28 U.S.C. §1915(g) because Plaintiff has three strikes and the case should be **DISMISSED** as frivolous pursuant to 28 U.S.C. §1915A(b)(1). Plaintiff's motion

to proceed as a pauper is **DENIED.**” The Clerk shall close the file.

SO ORDERED on September 23, 2013.

s/Mark E. Walker
United States District Judge