

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

CLIFTON McNEIL BROOKS, SR.,

Plaintiff,

v.

Case No. 1:18cv43-MW/GRJ

**J. C. HILL and
ERIK LANCASTER,**

Defendants.

_____ /

ORDER ACCEPTING REPORT AND RECOMMENDATION

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation, ECF No. 39, and has also reviewed *de novo* Plaintiff's objections to the report and recommendation, ECF No. 42. Accordingly,

IT IS ORDERED:

The report and recommendation is **accepted and adopted**, over Plaintiff's objections, as this Court's opinion. The Clerk shall enter judgment stating, "Defendants' Motion to Dismiss, ECF No. 28, is **GRANTED**. Plaintiff's complaint, ECF No. 1 is **DISMISSED** for failure to exhaust administrative remedies prior to filing the complaint. Plaintiff's motion for appointment of counsel, ECF No. 43, is **DENIED**." The Clerk shall close the file.

SO ORDERED on November 6, 2018.

**s/Mark E. Walker
Chief United States District Judge**