

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

FOSTER W. GULLEY,
Plaintiff,

vs.

CASE NO.: 3:06cv23/RV/MD

JUDGE FRANK BELL,
Defendant.

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated January 20, 2006. The plaintiff has been furnished a copy of the report and recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1), and I have made a de novo determination of those portions to which an objection has been made.

Having considered the report and recommendation and all objections thereto timely filed, I have determined that the report and recommendation should be adopted.

Accordingly, it is now ORDERED as follows:

This cause is dismissed with prejudice because the defendant is immune from suit.

DONE AND ORDERED this 1st day of February, 2006.

/s/ Roger Vinson _____

ROGER VINSON
SENIOR UNITED STATES DISTRICT JUDGE