

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

JEAN ROGER DANIEL,
Plaintiff,

vs.

CASE NO.: 3:08cv164/MCR/MD

JAMES MCDONOUGH, et al.,
Defendants.

ORDER

Upon consideration of the Report and Recommendation of the Magistrate Judge filed on November 6, 2008, pursuant to 28 U.S.C. § 636(b)(1)(B), and after reviewing objections to the Recommendation, if any, the Recommendation is adopted as the opinion of the Court.

Accordingly, it is now ORDERED as follows:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order.

2. This cause is DISMISSED WITH PREJUDICE under 28 U.S.C. § 1915(e)(2)(B)(ii) and the clerk is directed to close the file.

DONE AND ORDERED this 9th day of December, 2008.

sl M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE