

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

**ROBERT EARL ROYSTER,
Plaintiff,**

vs.

CASE NO.: 3:10cv30/LAC/MD

**DAVID MORGAN, et al.,
Defendants.**

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated May 10, 2010. 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). No objections have been filed.

Having considered the report and recommendation, I have determined that the report and recommendation should be adopted.

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. Plaintiff's § 1983 claims against Sheriff Morgan and Daryl Royster, Jr., are DISMISSED WITH PREJUDICE under 28 U.S.C. § 1915(e)(2)(B)(ii).
3. Plaintiff's conspiracy claims against Deputy Kilgren and Deputy Hall are DISMISSED WITH PREJUDICE under 28 U.S.C. § 1915(e)(2)(B)(ii).
4. Plaintiff's damages claims against Deputy Kilgren and Deputy Hall arising from his alleged false arrest are DISMISSED WITHOUT PREJUDICE under 28 U.S.C. § 1915(e)(2)(B)(ii).
5. Plaintiff's claims for injunctive relief are DISMISSED WITH PREJUDICE under 28 U.S.C. § 1915(e)(2)(B)(ii).

6. The clerk is directed to close the file.

DONE AND ORDERED this 29th day of July, 2010.

s/L.A. Collier

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE