

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

TIMOTHY SHEPPARD,

Plaintiff,

vs.

CASE NO. 3:10cv153/RS-EMT

**WILLIAM BILL EDDINS,
DAN CLARK,
PATRICIA KINSEY, and
GREGORY ANCHORS,**

Defendants.

ORDER

Before me are the Magistrate Judge's Report and Recommendation (Doc. 31) and Plaintiff's Objection to the Report and Recommendation (Doc. 32). I have considered Plaintiff's objections *de novo*.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. Pursuant to Fed. R. Civ. P. 12(b)(6), this action is dismissed for failure to state a claim upon which relief may be granted.
3. The Clerk is directed to close the file.

ORDERED on October 5, 2010.

/S/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE