

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

DAVID McCISKILL,
Plaintiff,

vs.

Case No. 3:10cv211/MCR/MD

COL. CHAD E. THOMPSON,
et al.,
Defendants.

_____ /

ORDER

By order dated August 9, 2010, the court granted plaintiff's Motion to Amend, allowing thirty days to file an amended complaint. Plaintiff has not filed an amended complaint within the prescribed period, and this matter is brought before the court on the pending Report and Recommendation of the Magistrate Judge filed June 28, 2010. Upon consideration of the Report and Recommendation, 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 without prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

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

M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE