

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

KELVIN BOWMAN,

Plaintiff,

vs.

Case No. 3:10cv277/MCR/MD

D. ELLIS, et al.,

Defendants.

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ORDER

Upon consideration of the Report and Recommendation of the Magistrate Judge filed on August 4, 2010, 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. Plaintiff's case is DISMISSED WITHOUT PREJUDICE to its refiling accompanied by payment of the full \$350.00 filing fee.

DONE AND ORDERED this 8th day of September, 2010.

sl M. Casey Rodgers

**M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE**