

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

ANTHONY MACK ANDERSON,

Plaintiff,

v.

Case No.: 3:10cv459/MCR/CJK

A. HEMPHILL, et al.,

Defendants.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated August 28, 2013 (doc. 58). 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). I have made a de novo determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, 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. Defendant Hemphill's motion to dismiss (doc. 44) is GRANTED.
3. Defendant Little's motion to dismiss (doc. 54) is GRANTED.
4. Plaintiff's claims are DISMISSED WITH PREJUDICE under 28 U.S.C. § 1915(e)(2)(B)(ii), for plaintiff's failure to state a claim upon which relief may be granted.
5. The clerk is directed to close the file.

**DONE AND ORDERED** this 16th day of September, 2013.

*M. Casey Rodgers*

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