

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

PHILLIP J. KENNEDY,
for Simone Sakey

Plaintiff,

vs.

Case No.: 3:11cv51/MCR/EMT

JOHN GLASSMAN, et al.,

Defendants.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge’s Report and Recommendation dated February 14, 2011. (Doc. 5). 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. This action is **DISMISSED** for failure to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
3. The clerk is directed to enter judgment accordingly and close the file.

DONE AND ORDERED this 12th day of April, 2011.

sl M. Casey Rodgers

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