

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

SAM J. PEARSON IV,

Plaintiff,

vs.

Case No.: 3:11cv70/MCR/EMT

JUDGE DAVID RIMMER,

Defendant.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge’s Report and Recommendation dated March 25, 2011. (Doc. 7). 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 cause is **dismissed with prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and (iii).

DONE AND ORDERED this 2nd day of May, 2011.

sl M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE