

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

LARRY EARL STALLWORTH,  
Plaintiff,

v.

Case No. 3:11cv178/MCR/CJK

AMERICAN FAMILY LIFE ASSURANCE  
COMPANY OF COLUMBUS, et al.,  
Defendants.

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ORDER

Upon consideration of the Amended Report and Recommendation of the Magistrate Judge filed on May 3, 2011, 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 action is DISMISSED as follows:
  - a. Plaintiff's federal claims are DISMISSED WITH PREJUDICE under 28 U.S.C. § 1915(e)(2)(B)(ii).
  - b. Plaintiff state law claims are DISMISSED WITHOUT PREJUDICE to plaintiff filing them in the appropriate state court.

3. The clerk is directed to close the file.

DONE AND ORDERED this 6th day of June, 2011.

*M. Casey Rodgers*

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