

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

JASON G. MALLERY,
Plaintiff,

vs.

Case No. 3:12cv126/MCR/CJK

BRYAN D. MCLEOD, et al.,
Defendants.

ORDER

Upon consideration of the Report and Recommendation of the Magistrate Judge filed on May 31, 2012, 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 cause is DISMISSED WITHOUT 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.
3. The clerk is directed to close the file.

DONE AND ORDERED this 23rd day of June, 2012.

s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE