

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

OBADIAH SAVOY DILLARD,  
Plaintiff,

v.

Case No.: 3:12cv286/MCR/EMT

DEPARTMENT OF CORRECTIONS, et al.,  
Defendants.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated June 20, 2012 (doc. 4). 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). No timely objections have been filed.

Having considered the Report and Recommendation, and the record, the court concludes 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 without prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as malicious.

**DONE AND ORDERED** this 26th day of July, 2012.

*M. Casey Rodgers*

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