

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

CURTISS L. JEMISON,  
Plaintiff,

vs.

Case No. 3:12cv597/LAC/EMT

DAVID MORGAN, et al.,  
Defendants.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated January 7, 2013 (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 objections have been filed.

Having considered the Report and Recommendation, 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. Pursuant to 28 U.S.C. § 1915(g), this cause is **DISMISSED WITHOUT PREJUDICE** to Plaintiff's initiating a new cause of action accompanied by payment of the \$350.00 filing fee in its entirety.

**DONE AND ORDERED** this 8<sup>th</sup> day of February, 2013.

*s/L.A. Collier*

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**LACEY A. COLLIER**  
**SENIOR UNITED STATES DISTRICT JUDGE**