

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

DAVID RUSSELL POSEY,

Plaintiff,

v.

Case No. 3:14cv17/RV/CJK

GEORGIANNA JEAN POWELL, et al.,

Defendants.

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated April 22, 2014. (Doc. 12). The parties have been furnished a copy of the Report and Recommendation and have 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 as the opinion of the court.

Accordingly, it is now **ORDERED** as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 12) is adopted and incorporated by reference in this order.

2. This case is **DISMISSED WITH 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.

ORDERED on this 27th day of May, 2014.

/s/ Roger Vinson _____

ROGER VINSON

SENIOR UNITED STATES DISTRICT JUDGE