

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

TRACY L. COLLIER, #880017

Plaintiff,

v.

Case No. 3:14cv470/MCR/EMT

U.S. GOVERNMENT I.R.S. DIVISION,  
B. SMITH, Institution Inspector,  
MULLER, Mail Clerk, and  
WATSON, Warden,

Defendants.

**ORDER**

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated October 16, 2014 (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). I have made a de novo determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

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

1. The chief magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. This cause is **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as malicious.

**DONE AND ORDERED** this 17th day of November 2014.

*s/ M. Casey Rodgers*

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