

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

LARRY-WAYNE KELLY,
Plaintiff,

vs.

Case No.: 3:15cv58/MCR/EMT

JEFF R. GADDY,
Defendant.

_____/

ORDER

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated May 29, 2015 (doc. 6). 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. Plaintiff's claims are **DISMISSED** without prejudice pursuant to 28 U.S.C.A. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.
3. All pending motions are denied as moot.

DONE AND ORDERED this 26th day of June 2015.

sl M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE