

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

FRANKLIN RUBERMAN GOMEZ,

Plaintiff,

v.

Case No. 3:16cv508-RV-CJK

SHILOH CONSTRUCTION, LLC,

Defendant.

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ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated January 11, 2017 (doc. 11). 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.

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 case is **DISMISSED WITHOUT PREJUDICE** under 28 U.S.C. § 1915(e)(2)(B)(ii) due to plaintiff's failure to state a claim on which relief may be granted.

3. The clerk is directed to close the file.

**DONE AND ORDERED** this 9<sup>th</sup> day of February, 2017.

*/s/ Roger Vinson*

**ROGER VINSON**

**SENIOR UNITED STATES DISTRICT JUDGE**