

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

DWAYNE RICARDO SMITH,
Plaintiff,

vs.

Case No.: 3:16cv509/LAC/EMT

JULIE L. JONES, et al.,
Defendants.

ORDER

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated December 20, 2016 (ECF No. 8). 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 chief magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. This civil rights action is **DISMISSED with prejudice**, under 28 U.S.C.

§ 1915(e)(2)(B)(ii), for failure to state a claim upon which relief may be granted.

3. The clerk is directed to enter judgment accordingly and close the file.

DONE AND ORDERED this 19th day of January, 2017.

s/L. A. Collier

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE