

Page 1 of 2

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

ALVIN R. BARNEY, II,

Plaintiff,

v.

CASE NO. 3:17cv3-MCR-CJK

ESCAMBIA COUNTY, FLORIDA, et al.,

Defendants.

O R D E R

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated August 7, 2017. ECF No. 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 magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. Plaintiff's claims against Judge Kinsey are **DISMISSED WITH PREJUDICE**.
3. The clerk shall update the docket to reflect there are 6 defendants remaining in the action.

DONE AND ORDERED this 24th day of August, 2017.

s/ *M. Casey Rodgers*
M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE