

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

DONALD LAMAR MAY,
Inmate Number 9704427161,
Plaintiff,

vs.

Case No.: 3:17cv49/LAC/EMT

SHERIFF DEPUTY HAINES, et al.,
Defendants.

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ORDER

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated February 15, 2017 (ECF No. 7). 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). 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 action is **DISMISSED WITHOUT PREJUDICE** as malicious, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

3. The clerk shall enter judgment accordingly and close this case.

DONE AND ORDERED this 17th day of March, 2017.

s/L. A. Collier

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE