

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

**ANTHONY ROGELIO GRIEGO,**

**Petitioner,**

**v.**

**Case No. 3:17cv66-LC/CAS**

**MARK S. INCH, Secretary,  
Florida Department of  
Corrections,**

**Respondent.**

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**ORDER**

This cause comes on for consideration upon the Report and Recommendation On Motion for Injunction of the United States Magistrate Judge, ECF No. 51, dated April 1, 2019, recommending that the “Emergency Motion for Injunction/Motion to Prohibit Respondent from Interfering with Petitioner’s U.S. Constitutional Right to Access the Courts and Compel Respondent to Protect the Same,” ECF No. 49, be denied without prejudice to Petitioner filing a § 1983 civil rights complaint. The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections. No objections have been filed.

Having considered the report and recommendation, I have determined that it should be adopted.

Accordingly, it is **ORDERED** as follows:

1. The Report and Recommendation on Motion for Injunction, ECF No. 51, is adopted and incorporated by reference in this order.

2. The “Emergency Motion for Injunction/Motion to Prohibit Respondent from Interfering with Petitioner’s U.S. Constitutional Right to Access the Courts and Compel Respondent to Protect the Same,” filed by Petitioner Anthony Rogelio Griego, ECF No. 49, is **DENIED without prejudice** to Petitioner bringing the claims concerning the conditions of confinement in a properly filed § 1983 civil rights proceeding.

3. The Clerk of Court shall provide Petitioner with a civil rights complaint form for use by prisoners in civil rights actions under 42 U.S.C. § 1983.

**DONE AND ORDERED** this 13<sup>th</sup> day of May, 2019.

*s/ L.A. Collier*  
**LACEY A. COLLIER**  
**SENIOR UNITED STATES DISTRICT JUDGE**