

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

JOE HENRY SCOTT, III,
Inmate No. ECSO-0000628537,
Plaintiff,

vs.

Case No.: 3:17cv655/LAC/EMT

BOARD OF COUNTY COMMISSIONERS,
et al.,
Defendants.

_____ /

ORDER

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated September 5, 2017 (ECF No. 5). 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 the timely filed objections.

Having considered the Report and Recommendation, and the objections thereto, 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 case is **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and § 1915A(b)(1) as malicious.

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

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

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