

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

WILLIAM ALLEN WHITLOW,
Inmate No. 513215,
Plaintiff,

v.

CASE NO. 3:17cv710/MCR/EMT

SERGEANT SUGGS, et al.,
Defendants.

_____ /

ORDER

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated October 19, 2017. ECF No. 3. 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 chief magistrate judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. This cause is **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as malicious.

DONE AND ORDERED this 31st day of October 2017.

s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE