

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

**JOHNNY WELCH,**

**Plaintiff,**

**v.**

**CASE NO. 3:17cv711/MCR/CJK**

**CLASSIFICATION OFFICER MARSH,**

**Defendant.**

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**ORDER**

This cause comes on for consideration of the Magistrate Judge's Report and Recommendation dated November 2, 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). After reviewing any timely objections to the Recommendation, the Court has determined that the Report and Recommendation should be adopted.

Accordingly, it is ORDERED:

1. The Magistrate Judge's Report and Recommendation, ECF No. 7, is adopted and incorporated by reference in this Order.

2. Plaintiff's motion to proceed *in forma pauperis*, ECF No. 3, is DENIED, and this action is DISMISSED WITHOUT PREJUDICE under 28 U.S.C. § 1915(g).

3. The clerk is directed to close the file and terminate any outstanding motions.

**DONE AND ORDERED** this 16th day of November 2017.

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