

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

WILLIAM EDWARD PERRY, JR.,

Plaintiff,

v.

Case No. 3:18cv70/MCR/CJK

SERGEANT LOCKLEAR,

Defendant.

ORDER

This cause comes on for consideration of the Magistrate Judge's Report and Recommendation dated January 12, 2018. ECF No. 4. 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 reviewed the Recommendation and the record, 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. 4, 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), for plaintiff's abuse of the judicial process.

3. The Clerk is directed to close the file.

DONE AND ORDERED this 15th day of February 2018.

M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE