

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

JACKIE S. BERGER,

Plaintiff,

v.

CASE NO. 3:21cv239-MCR-HTC

OFFICER YOUNG, et al.,

Defendants.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated July 30, 2021, ECF No. 14, which recommends that this case be dismissed for failure to state a claim on which relief may be granted. Plaintiff was furnished with a copy of the Report and Recommendation and 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 all timely filed objections.

Having considered the Report and Recommendation and any duly filed objections, I have determined that the Report and Recommendation should be adopted.

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

- (1) The Magistrate Judge's Report and Recommendation, ECF No. 14, is adopted and incorporated by reference in this Order.

- (2) This case is **DISMISSED** pursuant to 28 U.S.C. §§ 1915A(b)(1);  
1915(e)(2)(B)(ii).
- (3) The Clerk is directed to close the file.

**DONE AND ORDERED** this 9th day of September 2021.

*s/ M. Casey Rodgers*

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**M. CASEY RODGERS**  
**UNITED STATES DISTRICT JUDGE**