

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

DAKOTA PRATT-CAUDILL,

Plaintiff,

v.

Case No. 3:21cv1043-MCR-HTC

SHERIFF OF ESCAMBIA COUNTY,

Defendant.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated October 27, 2021 (ECF No. 9). 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). Plaintiff has filed a Motion to Appoint Counsel (ECF No. 10). Otherwise, there have been no timely filed objections.

Having considered the Report and Recommendation, and the record, I have determined that the Report and Recommendation should be adopted and Plaintiff's Motion to Appoint Counsel should be deemed as moot.

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

- (1) The magistrate judge's Report and Recommendation (ECF Doc. 9) is adopted and incorporated by reference in this order.
- (2) The Plaintiff's Motion to Appoint Counsel (ECF Doc. 10) is deemed moot.
- (3) Plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A for failure to state a claim.
- (4) The clerk is directed to close the file.

**DONE AND ORDERED** this 11<sup>th</sup> day of January 2022.

*M. Casey Rodgers*

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