

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

EDWARD OTTO VON LOCHAUSEN, IV,  
Plaintiff,

vs.

Case No.: 3:21cv2575/MCR/EMT

STATE OF FLORIDA SUPREME COURT,  
Defendant.

---

**ORDER**

The chief magistrate judge issued a Report and Recommendation on November 17, 2021 (ECF No. 5). The court furnished Plaintiff with a copy of the Report and Recommendation and afforded him an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). There have been no timely filed objections.

Having considered the Report and Recommendation, and the record, I have determined the Report and Recommendation should be adopted.

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

1. The chief magistrate judge's Report and Recommendation (ECF No. 5) is adopted and incorporated by reference in this order.
2. This case is **DISMISSED WITHOUT PREJUDICE** as malicious, pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(i), 1915A(b)(1).

3. The clerk of court is directed to enter judgment in accordance with this order and close the case.

**DONE AND ORDERED** this 10<sup>th</sup> day of January 2022.

*M. Casey Rodgers*  
\_\_\_\_\_  
**M. CASEY RODGERS**  
**UNITED STATES DISTRICT JUDGE**