

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

DARYL A. SANDERS,

Plaintiff,

v.

Case No. 3:21cv3871-LC-HTC

FLORIDA DEPARTMENT
OF CORRECTIONS and OKALOOSA
CORRECTIONAL INSTITUTION,

Defendants.

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ORDER

The magistrate judge issued a Report and Recommendation on December 27, 2021 (ECF No. 12), recommending dismissal based on Plaintiff's status as a three-striker under 28 U.S.C. § 1915(g) and Plaintiff's failure to pay the filing fee at the time he initiated this action. Plaintiff was furnished 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).

Having considered the Report and Recommendation, and conducted a *de novo* review of the timely filed objections thereto, I have determined the Report and Recommendation should be adopted.

Accordingly, it is **ORDERED**:

1. The magistrate judge's Report and Recommendation (ECF No. 12) is adopted and incorporated by reference in this order.
2. This case is **DISMISSED WITHOUT PREJUDICE** because Plaintiff is a three-striker under 28 U.S.C. § 1915(g) and has failed to pay the filing fee.
3. The clerk of court is directed to close this case.

DONE AND ORDERED this 11th day of January 2022.

s/L.A. Collier

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE