

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

RAMON TYSHEEN BORNER,

Plaintiff,

v.

Case No. 3:23cv17918-MCR-HTC

CHIP W. SIMMONS, et al.,

Defendants.

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated August 11, 2023 (ECF No. 9). The parties have been furnished a copy of the Report and Recommendation and have been 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 objections thereto timely filed, 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. 9) is adopted and incorporated by reference in this Order.

2. This case is DISMISSED WITHOUT PREJUDICE for lack of subject-matter jurisdiction.

3. The clerk is directed to close the file.

DONE AND ORDERED this 14th day of November 2023.

M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE