

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

JOHN ANDREWS,  
Plaintiff,

v.

Case No.: 3:23cv24175/MCR/ZCB

SECRETARY OF DOC, et al.,  
Defendants.

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**ORDER**

The magistrate judge issued a Report and Recommendation on September 14, 2023. (Doc. 4). The Court furnished the plaintiff 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 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 (Doc. 4) is adopted and incorporated by reference in this order.

2. This action be **DISMISSED without prejudice**, under 28 U.S.C. § 1915(g), based on Plaintiff's failure to pay the filing fee at the time he commenced this case.

4. The Clerk of Court is directed to enter judgment in accordance with this order and close the case.

**DONE AND ORDERED** this 14<sup>th</sup> day of November 2023.

*M. Casey Rodgers*

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