

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

DANIEL WOODS,
Plaintiff,

vs.

Case No.: 3:23cv24700/TKW/ZCB

SECRETARY OF HEALTH AND
HUMAN SERVICES, et al.,
Defendants.

ORDER

This case is before the Court based on the magistrate judge's Report and Recommendation (Doc. 17) and Plaintiff's objections (Doc. 18). No response to the objections is needed.

The Court reviewed the issues raised in the objections de novo as required by 28 U.S.C. §636(b)(1) and Fed. R. Civ. P. 72(b)(3), and based on that review, the Court agrees with the magistrate judge's determination that this case should be dismissed because (1) the Court lacks subject-matter jurisdiction over any claim under 42 U.S.C. §1395w-22(g)(5) and (2) the amended complaint fails to state a plausible discrimination claim. Accordingly, it is

ORDERED that:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this Order.

2. Defendant's motion to dismiss (Doc. 12) **GRANTED**, and this case is **DISMISSED**.

3. The Clerk shall enter judgment in accordance with this Order and close the case file.

DONE and ORDERED this 10th day of May, 2024.



T. KENT WETHERELL, II
UNITED STATES DISTRICT JUDGE