

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

OLIVER COCHRAN,

Plaintiff,

v.

CASE NO. 4:07cv425-SPM/AK

NORMA GILO, et al.,

Defendants.

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ORDER

THIS CAUSE comes before the Court for consideration of the magistrate judge's Report and Recommendation (doc. 71) dated January 6, 2010. Plaintiff has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed. Having considered the Report and Recommendation, I have determined that it should be adopted.

Accordingly, it is hereby ORDERED as follows:

1. The magistrate judge's Report and Recommendation (doc. 71) is ADOPTED and incorporated by reference in this order.
2. Defendants' Motion for Sanctions (doc. 67) is granted.
3. This case is dismissed without prejudice for failure to exhaust

administrative remedies and as a sanction for making false responses on the complaint.

4. The clerk shall note on the docket that the dismissal is pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and constitutes a strike within the meaning of 28 U.S.C. § 1915(g).

DONE AND ORDERED this 24th day of February, 2010.

s/ Stephan P. Mickle

Stephan P. Mickle
Chief United States District Judge