

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

TROY G. AVERA,

Plaintiff,

v.

CASE NO. 4:08cv550-RH/WCS

UNITED AIRLINES,

Defendant.

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ORDER DENYING LEAVE TO FILE SECOND AMENDED COMPLAINT

This case is before the court on the magistrate judge's second report and recommendation, ECF No. 104. No objections have been filed. Upon consideration,

IT IS ORDERED:

The second report and recommendation is ACCEPTED and adopted as the court's opinion. The plaintiff's motion for leave to file the proposed second amended complaint, ECF No. 99, is DENIED. The case is remanded to the magistrate judge for further proceedings.

SO ORDERED on September 23, 2010.

s/Robert L. Hinkle

United States District Judge