

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION

ALAN BOYD CURTIS,

Plaintiff,

v.

CASE NO.: 4:09-cv-76-SPM-WCS

UNITED STATES, et al.,

Defendants.

\_\_\_\_\_ /

**ORDER ADOPTING REPORT AND RECOMMENDATION**

THIS CAUSE comes before the Court for consideration of the Magistrate Judge's Report and Recommendation (doc. 97). The Parties have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). Plaintiff filed an objection (doc. 97). As his supplemental objections (doc. 98) were not timely filed, they will not be considered by the Court. I have conducted a de novo review of the sections of the report to which timely objections (doc. 97) have been made. Upon consideration, I find that the Plaintiff's objection is without merit. Even if Plaintiff's claims are not *Heck*-barred, his resentencing has mooted his claims regarding the extradition treaty, and his claims are otherwise subject to dismissal. Therefore, the Report and Recommendation should be adopted.

Accordingly, it is hereby ORDERED AND ADJUDGED as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 93) is ***adopted*** and incorporated by reference into this order.

2. The complaint is ***dismissed*** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
3. All pending motions are denied as moot.

DONE AND ORDERED this twenty-ninth day of July, 2011.

*s/ Stephan P. Mickle*  
Stephan P. Mickle  
Senior United States District Judge