

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

CHARLES C. SANMANN,

Plaintiff,

v.

Case No.: 4:10cv86/MCR/WCS

UNITED STATES GOVERNMENT,

Defendant.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated June 8, 2011 (doc. 28). The parties have been furnished a copy of the Report and Recommendation and have 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 and the record, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's Report and Recommendation (doc. 28) is adopted and incorporated by reference in this order.
2. Defendants' motion for summary judgment (doc. 22) is **GRANTED**.
3. The Clerk is directed to enter summary final judgment in favor of the Defendant.
4. The court finds that the case was frivolous and malicious, as Plaintiff lacked

any evidentiary support for his claim, and the Clerk is directed to impose a “strike.” See 28 U.S.C. § 1915(e)(2)(B)(i), (g).

DONE AND ORDERED this 11th day of July, 2011.

M. Casey Rodgers

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