

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

WILLIAM JOSEPH WILLIAMS,

Plaintiff,

v.

CASE NO. 4:10cv119-SPM/WCS

WALTER A. MCNEIL, et al.,

Defendants.

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**ORDER**

THIS CAUSE comes before the court on the magistrate judge's report and recommendation dated May 6, 2010 (doc. 7). Plaintiff has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). Plaintiff has notified the Court that he has no objections and that he intends to pursue a habeas corpus claim. Having considered the report and recommendation, I have determined that the report and recommendation should be adopted. Accordingly, it is hereby ORDERED as follows:

1. The magistrate judge's report and recommendation (doc. 7) is ADOPTED and incorporated by reference in this order.
2. This case is dismissed for failure to state a claim upon which relief may be granted. The dismissal is without prejudice to Plaintiff's opportunity to

pursue a habeas corpus claim.

3. The clerk shall note on the docket that this case was dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

DONE AND ORDERED this 28th day of June, 2010.

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