

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

MITZI LEIGH CROW,
Plaintiff,

v.

CASE NO. 4:10cv357-MP-WCS

WILLIAM TAYLOR, et al.,
Defendants.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation. (Doc. 36). 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). I have made a de novo determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed by the parties, 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 is adopted and incorporated by reference in this order.
2. Defendants' first motion to dismiss (doc. 32) is DENIED.
3. Defendants' second motion to dismiss (doc. 34) is GRANTED.
4. Plaintiff's amended complaint (doc. 15) is DISMISSED for failure to exhaust administrative remedies pursuant to 42 U.S.C. § 1997(e) and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

DONE and ORDERED this 3rd day of November, 2011.

s/ M. Casey Rodgers

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