

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

MARTIN WARNER,

Plaintiff,

v.

CASE NO. 4:11cv20-SPM/WCS

SHERIFF LARRY CAMPBELL,

Defendant.

_____ /

ORDER

THIS CAUSE comes for consideration upon the magistrate judge’s report and recommendation dated March 1, 2011. Doc. 7. Plaintiff has been furnished a copy and has filed objections pursuant to Title 28, United States Code, Section 636(b)(1). Doc. 8. Despite the objections, I have determined that the report and recommendation is correct and should be adopted. Accordingly, it is

ORDERED AND ADJUDGED:

1. The magistrate judge’s report and recommendation (doc. 7) is ADOPTED and incorporated by reference in this order.
2. This case is dismissed with prejudice as malicious for failing to disclose all prior cases and because Plaintiff already had this claim dismissed for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. §

1915(e)(2).

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

4. Plaintiff remains responsible for paying the filing fee in this case in accordance with the Order Granting Leave to Proceed In Forma Pauperis. Doc.

9.

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

s/ Stephan P. Mickle

Stephan P. Mickle
Chief United States District Judge