

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

HUBERT BABB,

Plaintiff,

v.

4:11cv418-WS

RICK SCOTT, FLORIDA
GOVERNOR,

Defendant.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation docketed September 9, 2011. See Doc. 5. The magistrate judge recommends that this case be dismissed for failure to state a claim. The plaintiff has filed objections (doc. 6) to the report and recommendation.

Having considered the record in light of the plaintiff's objections, the court finds that the magistrate judge's report and recommendation should be adopted.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 5) is hereby ADOPTED and incorporated by reference into this order.
2. The plaintiff's complaint (doc. 1) and this action are DISMISSED for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and the docket shall so reflect.

3. The clerk shall enter judgment stating: "All claims are DISMISSED with prejudice."

DONE AND ORDERED this 28th day of September, 2011.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE