

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

PETER HERNANDEZ,

Plaintiff,

v.

CASE NO. 4:11cv436-SPM/WCS

FLORIDA STATE PRISON, et al.,

Defendants.

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ORDER

THIS CAUSE comes before the court on the magistrate judge's report and recommendation dated September 9, 2011 (doc. 4). No objections have been filed. Having considered the report and recommendation, I have determined that the report and recommendation should be adopted.

Even though Plaintiff has since been moved to Suwannee Correctional Institution (see doc. 5), transfer of this case to the Middle District remains appropriate because the institution is within the Middle District and the defendants are in the Middle District. Accordingly, it is hereby ORDERED as follows:

1. The magistrate judge's report and recommendation (doc. 4) is

ADOPTED and incorporated by reference in this order.

2. This case is transferred to the Middle District of Florida, Jacksonville Division, for all further proceedings including ruling on Plaintiff's in forma pauperis motion in light of 28 U.S.C. § 1915(g).

DONE AND ORDERED this 18th day of October, 2011.

s/ Stephan P. Mickle

Stephan P. Mickle
Senior United States District Judge