

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

JOHN C. SPAULDING,

Plaintiff,

v.

CASE NO. 4:11-cv-00605-MP-CAS

RONNIE WOODALL, et al.,

Defendants.

---

**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated May 21, 2015. (Doc. 170). 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). Plaintiff has filed objections at doc. 173. I have made a de novo review based on those objections.

Having considered the Report and Recommendation, and the timely filed objections, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is hereby

**ORDERED AND ADJUDGED:**

1. The Magistrate Judge's Report and Recommendation (doc. 170) is adopted and incorporated by reference in this order.
2. Plaintiff's motion for documents (doc. 169) is DENIED.
3. Plaintiff's Eighth Amendment claim raised against Defendant Madan is DISMISSED for failure to serve the Defendant with process within 120 days as required by Federal Rule of Civil Procedure 4(m), and for failure state a claim upon which relief can be granted.

4. This case is remanded to the Magistrate Judge for further proceedings.

**DONE AND ORDERED** this 5th day of June, 2015

*s/Maurice M. Paul*  
Maurice M. Paul, Senior District Judge