

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

ANTHONY WRITZ, JR.,

Plaintiff,

v.

CASE NO.: 4:12cv378-SPM/CAS

FILLINGHAM, et al.,

Defendants.

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**ORDER**

This cause comes before the Court upon Magistrate Judge's report and recommendation (doc. 5) dated August 6, 2012. Plaintiff was furnished a copy and has filed objections (doc. 8).

Pursuant to Title 28, United States Code, Section 636(b)(1), I find that the report and recommendation should be adopted. Accordingly, it is

**ORDERED AND ADJUDGED:**

1. The report and recommendation (doc. 5) is adopted and incorporated by reference in this order.
2. Plaintiff's motion to proceed in forma pauperis (doc. 2) is denied.
3. Plaintiff's case is dismissed without prejudice.

DONE AND ORDERED this 30th day of August, 2012.

*S/ Stephan P. Mickle*  
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Stephan P. Mickle  
Senior United States District Judge