

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

GERMAINE R. RUDDICK,

Plaintiff,

v.

CASE NO.4:12-cv-641-MW/CAS

KENNETH S. TUCKER,

Defendant.

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION**

The Court has considered the Magistrate's Report and Recommendation, ECF No. 15, filed May 2, 2013. Upon consideration,

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as the Court's opinion. The Clerk shall enter judgment stating, "Plaintiff's motion to proceed in forma pauperis, ECF No. 2, is DENIED pursuant to 28 U.S.C. §1915(g). Plaintiff's Complaint, ECF No. 1, is hereby DISMISSED WITHOUT PREJUDICE." The Clerk shall note on the docket lines this case is dismissed

pursuant to 28 U.S.C. §1915(g).

SO ORDERED on May 21, 2013.

s/Mark E. Walker
United States District Judge