

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

JAY ARTHUR KELLY,

Plaintiff,

v.

CASE NO. 4:13-CV-40-MW/GRJ

FLORIDA PAROLE COMMISSION,
et al.,

Defendants.

ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION

The Court has considered the Magistrate's Report and Recommendation, ECF No. 8, filed April 2, 2013. The Court has also reviewed *de novo* Plaintiff's Objections to the Report and Recommendation, ECF No. 9, filed April 17, 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 for leave to proceed as a pauper, ECF No. 6, is **GRANTED for the limited purpose of screening**; the Plaintiff's motion to amend, ECF No. 7, is **DENIED**; and this case

is **DISMISSED** pursuant to 28 U.S.C. § 1915(a) for Plaintiff's failure to state a claim upon which relief may be granted." The Clerk shall close the file.

SO ORDERED on April 18, 2013.

s/Mark E. Walker
United States District Judge