

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

**MACK R. TEDDER,**

**Plaintiff,**

v.

**CASE NO. 4:13-cv-75-MW/CAS**

**TENA PATE, et al.,**

**Defendants.**

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**\*\*AMENDED\*\***

**ORDER ACCEPTING AND ADOPTING REPORT AND  
RECOMMENDATION**

This Court has considered the Magistrate's Second Report and Recommendation, ECF No.18, filed September 23, 2013. This Court has also reviewed *de novo* Plaintiff's Objections to the Report and Recommendation, ECF No.22, filed October 18, 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 third amended complaint, ECF No. 17, is **DISMISSED** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. §1915(e)(2)." The Clerk shall note on

the docket that this cause was dismissed pursuant to 28 U.S.C. §1915(e)(2)(B)(ii).

The Clerk shall close the file.

**SO ORDERED on October 22, 2013.**

**s/Mark E. Walker**  
**United States District Judge**