

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

DERRICK L. GIBSON, SR.,

Plaintiff,

v.

CASE NO. 4:13-cv-117-MW/GRJ

**JOHN DOE and MICHAEL D.
CREWS, Secretary,
DEPARTMENT OF CORRECTIONS,**

Defendants.

_____ /

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION**

This Court has considered the Magistrate's Report and Recommendation, ECF No.30, filed April 1, 2014. Upon consideration, no objections having been filed by Plaintiff,

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as this Court's opinion.

The Defendant's motion to dismiss, ECF No. 19, is **GRANTED**. Plaintiff's motion for leave to file a second amended complaint, ECF No. 26, is **DENIED**.

The Clerk shall enter judgment stating, "Plaintiff's federal claims are dismissed

with prejudice. Plaintiff's state law claim is dismissed without prejudice." The Clerk shall close the file.

SO ORDERED on April 22, 2014.

s/Mark E. Walker
United States District Judge