

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

ERVIN J. EVANS
a/k/a ERVIN THOMPSON

Plaintiff,

v.

CASE NO. 4:13cv183-RH/CAS

RICK SCOTT et al.,

Defendants.

_____ /

ORDER OF DISMISSAL

This case is before the court on the magistrate judge's report and recommendation, ECF No. 7. No objections have been filed.

As noted in the report and recommendation, the plaintiff has at least three "strikes" under 28 U.S.C. § 1915(g) and has not alleged facts showing that he is in imminent danger of serious physical injury. The plaintiff therefore cannot proceed *in forma pauperis*. Accordingly,

IT IS ORDERED:

The report and recommendation is ACCEPTED and adopted as the court's opinion. The clerk must enter judgment stating, "The complaint is dismissed without prejudice." The clerk must close the file.

SO ORDERED on June 12, 2013.

s/Robert L. Hinkle
United States District Judge