

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

**CURTIS WIMBUSH, JR.,**

**Plaintiff**

v.

**CASE NO. 4:13-cv-247-MW/CAS**

**NIKKI ANN CLARK,  
BRADFORD THOMAS,  
and JAMES R. WOLFE,**

**Defendants.**

\_\_\_\_\_ /

**ORDER ACCEPTING AND ADOPTING REPORT AND  
RECOMMENDATION**

The Court has considered the Magistrate's Report and Recommendation, ECF No. 8, filed July 26, 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, "The Plaintiff's second amended complaint is **DISMISSED with prejudice** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. §1915(e)(2) and because it is

frivolous.” The clerk shall close the file.

**SO ORDERED on August 20, 2013.**

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