

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

ROBERT PHILIP ARSENEAU,

Plaintiff,

v.

4:13cv251-WS

SECRETARY, FLORIDA  
DEP'T OF CORRECTIONS, et al.,

Defendants.

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ORDER ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation docketed November 7, 2013. See Doc. 10. Among other things, the magistrate judge recommends that this case be dismissed for failure to state a claim. The plaintiff has filed objections (docs. 12) to the report and recommendation.

Having considered the record, the court finds that the magistrate judge's report and recommendation should be adopted. This court agrees that the plaintiff has not stated a cognizable claim for relief and that amendment of the complaint would be futile.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 10) is hereby ADOPTED and incorporated by reference into this order.

2. The plaintiff's complaint and this action are DISMISSED for failure to state a claim.
3. The plaintiff's motion for leave to proceed in forma pauperis is DENIED.
4. The clerk shall enter judgment stating: "All claims are DISMISSED for failure to state a claim."

DONE AND ORDERED this 15th day of November, 2013.

s/ William Stafford  
WILLIAM STAFFORD  
SENIOR UNITED STATES DISTRICT JUDGE