

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

LAVENSTON LAMONT HORNE,

Plaintiff,

v.

4:13cv259-WS

MARGUERITE MORGAN, et al.,

Defendants.

---

ORDER ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (doc. 9) docketed August 2, 2013. The magistrate judge recommends that the plaintiff's case be dismissed for failure to state a claim upon which relief may be granted. The plaintiff has filed no objections to the report and recommendation.

The court has reviewed the record and has determined that the magistrate judge's report and recommendation should be adopted. Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 9) is hereby ADOPTED and incorporated by reference in this order.
2. The plaintiff's complaint, and this action, are hereby DISMISSED for failure to state a claim.

3. The clerk shall enter judgment stating: "All claims are DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)."

4. The clerk shall note on the docket that the case was dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

DONE AND ORDERED this 10th day of September, 2013.

s/ William Stafford \_\_\_\_\_  
WILLIAM STAFFORD  
SENIOR UNITED STATES DISTRICT JUDGE