

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

SIDNEY MARTS,

Plaintiff,

v.

CASE NO. 4:13-cv-520-MW/CAS

**STATE OF FLORIDA,
et al.,**

Defendants.

_____ /

**ORDER ACCEPTING
REPORT AND RECOMMENDATION**

This Court has considered the Magistrate's Report and Recommendation, ECF No.5, filed October 23, 2013, and has also reviewed *de novo* Plaintiff's Notice of Written Objections W/Motion for Evidentiary Hearing, ECF Nos. 6 and 7, filed November 6, 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, "This cause is **DISMISSED with prejudice** as frivolous pursuant to 28 U.S.C. §1915(e)(2)(B)(i)."

The Clerk shall close the file.

SO ORDERED on November 6, 2013.

s/Mark E. Walker
United States District Judge