

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

ELIJAH JACKSON,

Plaintiff,

v.

CASE NO. 4:13cv651-MW/CAS

MICHAEL D. CREWS. et al.,

Defendants.

**ORDER ACCEPTING
REPORT AND RECOMMENDATION**

This Court has considered the Magistrate’s Report and Recommendation, ECF No.47, filed August 5, 2014, and has also reviewed *de novo* Defendants’ objections to the report and recommendation, ECF No.50, filed August 15, 2014.

Accordingly

IT IS ORDERED:

The report and recommendation is **accepted and adopted**, over Defendants’ objections, as this Court’s opinion with clarification. This Court does not condone Plaintiff’s conduct in this case. With that said, contrary to Defendants’ assertion, there are deterrents; namely, the three-strike rule. Moreover, this Court is not, as Defendants suggest, denying all costs. Rather, this Court is denying “a” cost; namely, the cost of removal. Defendants seek the cost associated with removal – a

discretionary cost incurred only because Defendants elected to remove this case to federal court.

Defendant's motion to tax costs, ECF No. 41, is **DENIED**. Plaintiff's motion to strike Defendant's motion, ECF No. 43, is **DENIED**.

SO ORDERED on August 22, 2014.

s/Mark E. Walker
United States District Judge