

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

CONRAAD L. HOEVER,

Plaintiff,

v.

4:14cv273-WS

P. CAPER, J. CHISHOLM,
M. GORDON, K. HAMPTON,
and J. MATHES,

Defendants.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation docketed October 29, 2014. See Doc. 13. The magistrate judge recommends that Plaintiff's second amended complaint be dismissed. Plaintiff has filed objections (doc. 14) to the report and recommendation.

Having considered the record in light of Plaintiff's objections, the court finds that the magistrate judge's report and recommendation should be adopted.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 13) is hereby ADOPTED and incorporated by reference into this order.

2. The plaintiff's second amended complaint is DISMISSED as to Defendants Capers, Chisholm, Gordon, and Mathes for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2).

3. Plaintiff shall have until December 16, 2014, to file a third amended complaint, limited solely to a First Amendment retaliation claim against Defendant Hampton.

4. If Plaintiff fails to file a third amended complaint on or before December 16, 2014, as directed, the clerk shall enter judgment of dismissal as to all defendants and all claims without further order of the court.

DONE AND ORDERED this 25th day of November, 2014.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE