

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

DEONTAE THOMAS,

Plaintiff,

v.

CASE NO. 4:15cv326-RH/GRJ

R.A. COLLINS et al.,

Defendants.

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ORDER OF DISMISSAL

This case is before the court on the magistrate judge's report and recommendation, ECF No. 18. No objections have been filed.

The report and recommendation is correct and is adopted as the court's opinion. This order gives the plaintiff one more chance to file an amended complaint that states a claim on which relief can be granted. If the plaintiff does not do so, his claims will be dismissed with prejudice.

For these reasons,

IT IS ORDERED:

1. The report and recommendation is accepted.

2. The first amended complaint is dismissed for failure to state a federal claim on which relief can be granted.
3. The plaintiff may file a second amended complaint by December 9, 2015.
4. The clerk must send the plaintiff a § 1983 prisoner complaint form. If the plaintiff files a second amended complaint, the plaintiff must clearly label it as the second amended complaint.

SO ORDERED on November 9, 2015.

s/Robert L. Hinkle
United States District Judge