

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

RANDALL LAMONT ROLLE,

Plaintiff,

v.

CASE NO. 4:16cv426-RH/GRJ

CHARLES PERRY 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. 13, the objections, ECF No. 14, the motion for leave to amend, ECF No. 15, and the motion for recusal, ECF No. 17. I have reviewed de novo the issues raised by the objections.

The motion for recusal is based on my rulings in prior cases raising the same issues. A judge's rulings in a case do not provide a basis for recusal. There are no grounds for recusal here.

The report and recommendation correctly concludes that this case should be dismissed for various reasons. Amendment would be futile. This order adopts the report and recommendation as the court's opinion, with this additional note.

One of the reasons for dismissal is that the plaintiff has litigated and lost the same claims he now asserts in this case. Indeed, the ruling in one of the prior cases was affirmed by the United States Court of Appeals for the Eleventh Circuit. The motion to recuse includes an admission relevant to this issue: "This case is based on the same facts and circumstances from those [prior] cases." ECF No. 17 at 3.

IT IS ORDERED:

1. The motion to recuse, ECF No. 17, is denied.
2. The motion for leave to amend, ECF No. 15, is denied.
3. The report and recommendation, ECF No. 13, is accepted.
4. The clerk must enter judgment stating, "The complaint is dismissed under 28 U.S.C. § 1915(e)(2)(B)."
5. The clerk must close the file.

SO ORDERED on May 15, 2017.

s/Robert L. Hinkle  
United States District Judge