FRANKLIN v. INZER et al Doc. 44

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

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Plaintiff,

v. Case No. 4:16cv470-MW/CAS

KIMBERLY PETERSON and LEODE DAVIS,

Defendant.	

ORDER ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 42. Upon consideration, no objections having been filed by the parties,

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as this Court's opinion. Plaintiff's motion for leave to file an amended complaint, ECF No. 40, is **DENIED** because the proposed fourth amended complaint, ECF No. 40-1, fails to

state a claim upon which relief may be granted. This case is **REMANDED** to the Magistrate Judge for further proceedings.

SO ORDERED on June 7, 2018.

<u>s/ MARK E. WALKER</u>United States District Judge