

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

JIMMY BRIAN SCHOBERT,

Plaintiff,

v.

Case No. 4:16cv623-MW/CAS

OFFICER S. JONES
and
SERGEANT ATKINS,

Defendants.

**ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 8. 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. The Clerk shall enter judgment stating, "Plaintiff's amended complaint, ECF No. 7, is **DISMISSED** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)." The Clerk is directed to note on the

docket this cause is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). The Clerk shall close the file.

SO ORDERED on February 24, 2017.

s/Mark E. Walker
United States District Judge