

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

PERRY T. LAPUMA,

Plaintiff,

v.

4:16cv799–WS/CAS

DR. ANA BUCARELLI, et al.,

Defendants.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (ECF No. 48) docketed January 10, 2019. The magistrate judge recommends that the plaintiff's fifth amended complaint be dismissed for failure to state a claim. The plaintiff has filed objections (ECF No. 55) to the report and recommendation.

Having reviewed the record, including the exhibits attached to the plaintiff's objections, the court finds that the magistrate judge's report and recommendation is due to be adopted.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (ECF No. 48) is hereby ADOPTED and incorporated by reference in this order.

2. The plaintiff's fifth amended complaint and this action are DISMISSED for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

3. The clerk shall enter judgment stating: "All claims are dismissed."

4. The clerk shall note on the docket that this case was dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

5. The plaintiff's motion (ECF No. 56) to appoint counsel is DENIED.

DONE AND ORDERED this 2nd day of May, 2019.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE