

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

JAI BROWN,

Plaintiff,

v.

CASE NO. 4:17cv118-RH/CAS

WARDEN BARFIELD 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, and the objections, ECF No. 14. I have reviewed de novo the issues raised by the objections.

The report and recommendation correctly concludes that the first amended complaint fails to state a claim on which relief can be granted. In the objections, the plaintiff says he should be given leave to file a second amended complaint. But he has not identified any colorable claim he wishes to assert in a second amended complaint. He has not suggested how he intends to cure the deficiencies in the first

amended complaint. Allowing the plaintiff to assert the same claim again in different words would serve no purpose.

IT IS ORDERED:

The report and recommendation is accepted and adopted as the court's opinion. The clerk must enter judgment stating, "The complaint is dismissed under 28 U.S.C. § 1915(e)(2)(B)." The clerk must close the file.

SO ORDERED on July 11, 2017.

s/Robert L. Hinkle
United States District Judge