

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

**MARSHA L. PAYTON,**

**Plaintiff,**

**v.**

**Case No. 4:17cv204-MW/CAS**

**JOHN F. KELLY, Secretary,  
Department of Homeland Security,  
et al.,**

**Defendants.**

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**ORDER ACCEPTING  
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation, ECF No. 10, and has also reviewed *de novo* Plaintiff's objections to the report and recommendation, ECF No. 11. Accordingly,

**IT IS ORDERED:**

The report and recommendation is **accepted and adopted**, over Plaintiff's objections, 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 and because the claims concerning Plaintiff's 2004 termination are both time barred and barred by the doctrine of res

judicata.” The Clerk shall close the file.

**SO ORDERED on July 12, 2017.**

**s/Mark E. Walker**

**United States District Judge**