

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

ANTHONY A. GARCIA,

Plaintiff,

v.

4:17cv207-WS/CAS

FLORIDA DEPARTMENT OF  
CORRECTIONS, et al.,

Defendants.

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ORDER ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (doc. 8) docketed September 8, 2017. The magistrate judge recommends that the plaintiff's case be dismissed for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2). The plaintiff has filed no objections to the report and recommendation.

Having reviewed the record, 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 (doc. 8) is hereby

ADOPTED and incorporated by reference in this order.

2. The plaintiff's complaint and this action are DISMISSED for failure to state a claim upon which relief may be granted 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 cause was dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

DONE AND ORDERED this 10th day of October, 2017.

s/ William Stafford  
WILLIAM STAFFORD  
SENIOR UNITED STATES DISTRICT JUDGE