

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

BASIL MONCRIEFFE,

Plaintiff,

v.

Case No. 4:17cv297-MW/GRJ

STATE OF FLORIDA, et al.,

Defendants.

**ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 5. 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, "The motion to dismiss, ECF No. 4, is **GRANTED**. Leave to proceed as a pauper, ECF No. 2, is **DENIED**. This case is **DISMISSED** as frivolous. The dismissal of this case as frivolous shall

operate as a “strike” pursuant to 28 U.S.C. § 1915(g).” The Clerk shall close the file.

SO ORDERED on September 19, 2017.

s/Mark E. Walker
United States District Judge