

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

**ORTHIA T. PORTER,**

**Plaintiff,**

**v.**

**Case No. 4:17cv381-MW/CAS**

**WARDEN JOHNSON, 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. 7, and has also reviewed *de novo* Plaintiff's objections to the report and recommendation, ECF No. 9. 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, "This case is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim upon which relief may be granted." By his own admission, Plaintiff was only sentenced to 60 days of disciplinary confinement. It changes nothing that Plaintiff was subsequently placed in close management. The Clerk shall close the file.

**SO ORDERED on October 3, 2017.**

s/Mark E. Walker  
**United States District Judge**