

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

DAVID LEE SMITH,

Plaintiff,

v.

4:17cv416–WS/CAS

STATE OF FLORIDA, et al.,

Defendants.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (doc. 11) docketed October 5, 2017. The magistrate judge recommends that the plaintiff's case be dismissed pursuant to the three-strikes provision of 28 U.S.C. § 1915(g). The plaintiff has filed no objections to the magistrate judge's report and recommendation.

Having reviewed the magistrate judge's report and recommendation, this court has determined that the magistrate judge's report and recommendation should be adopted. Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 11) is hereby ADOPTED and incorporated by reference into this order.

2. The plaintiff's complaint and this action are DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1915(g).

3. The clerk shall enter judgment stating: "This action is dismissed without prejudice pursuant to 28 U.S.C. § 1915(g)."

4. The Clerk of Court shall note on the docket that this case was dismissed pursuant to 28 U.S.C. § 1915(g).

DONE AND ORDERED this 6th day of November, 2017.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE