

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

DAVID POWELL,

Plaintiff,

v.

4:17cv453–WS/GRJ

FLORIDA DEPARTMENT OF  
CORRECTIONS, et al.,

Defendants.

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ORDER GRANTING THE FLORIDA DEPARTMENT  
OF CORRECTIONS' MOTION TO DISMISS

Before the court is the magistrate judge's report and recommendation (doc. 18) docketed March 28, 2018. The magistrate judge recommends that the Florida Department of Corrections' motion to dismiss be granted. The plaintiff has filed no objections to the report and recommendation.

Having reviewed the matter, 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. 18) is hereby

ADOPTED and incorporated by reference into this order.

2. The Florida Department of Corrections' motion to dismiss (doc. 11) is  
GRANTED.

3. The Florida Department of Corrections shall be terminated as a defendant  
in this action.

4. The case shall be returned to the magistrate judge for further proceedings.

DONE AND ORDERED this 1st day of May, 2018.

s/ William Stafford  
WILLIAM STAFFORD  
SENIOR UNITED STATES DISTRICT JUDGE