

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

**DARREN BINES,**

**Plaintiff,**

**v.**

**Case No. 4:17cv462-MW/CAS**

**STATE OF FLORIDA**

**and**

**GREGORY J. CUMMINGS,**

**Defendants.**

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**ORDER ACCEPTING AND ADOPTING  
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 9 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, "Plaintiff's civil rights complaint, ECF No. 1, is **DISMISSED** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2). The Clerk shall note on the docket

that this cause is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).” The Clerk shall close the file.

**SO ORDERED on June 11, 2018.**

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