

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

JIMMY RAY RICHEY,
Plaintiff,

vs.

CASE NO. 5:08cv225/RS-EMT

DENNIS LEE, et al,
Defendants.

_____ /

ORDER

Before me is the Magistrate Judge's Report and Recommendation (Doc. 21).

Plaintiff has not filed objections.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. Plaintiff's Motion for Writ of Habeas Corpus (Doc. 20), which shall be construed as a motion for a preliminary injunction, is **denied**.

ORDERED on October 31, 2008.

/S/ Richard Smoak

RICHARD SMOAK
UNITED STATES DISTRICT JUDGE