

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

CHRISTOPHER L. JOHNSON, JR.,

Plaintiff,

vs.

CASE NO. 5:08cv286/RS-EMT

WALTER McNEIL,

Defendant.

_____ /

ORDER

Before me is the Magistrate Judge's Report and Recommendation
(Doc. 25). Plaintiff has not filed objections.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this order.
2. This case is dismissed for failure to state a claim pursuant to 28 U.S.C. §1915(e)(2)(B)(ii).
3. The clerk is directed to close the file.

ORDERED on August 19, 2009.

/S/ Richard Smoak

RICHARD SMOAK

UNITED STATES DISTRICT JUDGE