

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

JOSE ALFREDO JIMENEZ,
Plaintiff,

vs.

5:08cv345/MCR/MD

C.O. REEDER,
Defendant.

_____ /

ORDER

Upon consideration of the Report and Recommendation of the Magistrate Judge filed on January 28, 2009, pursuant to 28 U.S.C. § 636(b)(1)(B), and after reviewing objections to the Recommendation, if any, the Recommendation is adopted as the opinion of the Court.

Accordingly, it is now ORDERED as follows:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order.

2. This cause is dismissed for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

DONE AND ORDERED this 16th day of March, 2009.

sl M. Casey Rodgers
M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE