

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

MATTHEW GILLIS,

Plaintiff,

v.

CASE NO. 5:08cv362-RH/WCS

DR. GUZMAN, et al.,

Defendants.

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ORDER OF DISMISSAL

This case is before the court on the magistrate judge's report and recommendation (document 38). No objections have been filed. The report correctly concludes that, based on the undisputed facts in the record, the defendants did not violate the plaintiff's constitutional rights. Accordingly,

IT IS ORDERED:

The report and recommendation is ACCEPTED. The clerk must enter judgment stating, "The complaint is dismissed under 28 U.S.C. § 1915(e)(2)(B)."

The clerk must close the file.

SO ORDERED on January 28, 2010.

s/Robert L. Hinkle
United States District Judge