

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

JORGE L. NIEBLA,

Plaintiff,

vs.

CASE NO. 5:09cv190/RS-MD

MAILROOM APALACHEE CORRECTIONAL
INSTITUTE,

Defendant.

_____ /

ORDER

Before me are the Magistrate Judge's Report and Recommendation (Doc. 4) and Plaintiff's Motion To Object (Doc. 5). I have considered Plaintiff's objections *de novo*.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. This case is dismissed without prejudice pursuant to 28 U.S.C. §1915(g).
3. The clerk is directed to close the file.

ORDERED on June 24, 2009.

/S/ Richard Smoak

RICHARD SMOAK

UNITED STATES DISTRICT JUDGE