

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

DARRELL L. JACKSON,

Plaintiff,

v.

CASE NO. 5:09cv338-RH/CJK

R. K. CUTCHINS et al.,

Defendants.

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**ORDER OF DISMISSAL**

This case is before the court on the magistrate judge's report and recommendation, ECF No. 73, and the objections, ECF No. 74. I have reviewed *de novo* the issues raised by the objections.

Some of the plaintiff's claims were dismissed by an order entered on March 25, 2011. ECF No. 55. A Federal Rule of Civil Procedure 54(b) judgment was not entered. The report and recommendation concludes that the remaining claims should now be dismissed without prejudice based on the plaintiff's failure to disclose prior lawsuits as required by this district's standard prisoner civil-rights complaint form.

Dismissal without prejudice is not too severe a sanction under these circumstances. If the form is to serve its purpose, a plaintiff must provide accurate information. If word got around the prisons that inaccurate or incomplete information could be provided with no effective sanction, the form would serve little purpose. And word does get around the prisons.

For these reasons and those set out in the report and recommendation, ECF No. 73, and in the earlier order dismissing some of the claims, ECF No. 55,

**IT IS ORDERED:**

The report and recommendation is ACCEPTED and adopted as the court's further opinion. The clerk must enter judgment stating, "The plaintiff's claims against the defendants Nurse H. Fromm and Jane Doe asserting deliberate indifference to serious medical needs are dismissed without prejudice. The plaintiff's claim under 42 U.S.C. § 1983 challenging the June 23, 2009, discipline and resulting revocation of gain time is dismissed without prejudice. The plaintiff's other claims are dismissed with prejudice." The clerk must close the file.

SO ORDERED on November 23, 2011.

s/Robert L. Hinkle  
United States District Judge