

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

ERIC DAVID HARRIS a/k/a
DAVID JOSEPH NORTHRUP,

Plaintiff,

vs.

CASE NO. 5:10cv76/RS-MD

WALTER A. MCNEIL, et al,

Defendants.

ORDER

Before me is the Magistrate Judge's Report and Recommendation (Doc. 31).

Plaintiff has not filed objections.

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 with prejudice pursuant to 28 U.S.C. §1915(A) because of Plaintiff's failure to state a claim upon which relief can be granted.
3. All pending motions are denied as moot.
4. The clerk is directed to close the file.

ORDERED on August 3, 2010.

/S/ Richard Smoak

RICHARD SMOAK

UNITED STATES DISTRICT JUDGE