

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

PETER TERENCE RUSS,

Plaintiff,

vs.

CASE NO. 5:11cv03/RS-GRJ

UNKNOWN FEDERAL AGENCY,

Defendant.

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**ORDER**

Before me are the Magistrate Judge's Report and Recommendation (Doc. 8) and Plaintiff's Notice of Appeal And Objection To District Judge (Doc. 9), which shall be construed as objections to the Magistrate Judge's Report and Recommendation. I have considered Plaintiff's objections *de novo*.

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. This case is dismissed as frivolous pursuant to 28 U.S.C. §1915(e)(2)(B)(i).
3. The clerk is directed to close the file.

**ORDERED** on May 19, 2011.

/S/ Richard Smoak

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**RICHARD SMOAK**

**UNITED STATES DISTRICT JUDGE**