

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

**BERNARD C. McGEE,**

**Plaintiff,**

**v.**

**CASE NO. 5:11-cv-80-RS-GRJ**

**TIFFT, et al.,**

**Defendants.**

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**ORDER**

Before me is the Magistrate Judge's Report and Recommendation (Doc. 9). No objections have been filed.

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. Defendants Sloan, McNeil, and Gulf Correctional Institution are **DISMISSED as parties** to this action pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted.
3. The case remains pending against Defendants Tift and Bush.

**ORDERED** on December 28, 2011.

/S/ Richard Smoak  
**RICHARD SMOAK**  
**UNITED STATES DISTRICT JUDGE**