

**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

TIFT, et al.,

Defendants.

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ORDER

Before me is the Magistrate Judge's Report and Recommendation (Doc. 42).

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. Defendants Tift's and Bush's Motion to Dismiss Plaintiff's First Amended Complaint for Failure to Exhaust His Administrative Remedies (Doc. 28) is **GRANTED**.
3. The Clerk is directed to close the case.

ORDERED on November 27, 2012.

/S/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE