

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

KENNETH NELSON,

Plaintiff,

v.

CASE NO. 5:12-cv-00280-MP-EMT

ELLIS, SHAUN GILLIS, TAYLOR, WARREN, WATSON,

Defendants.

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**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated November 28, 2012. (Doc. 11). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a de novo determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is hereby

**ORDERED AND ADJUDGED:**

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. This cause is DISMISSED for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii)..

**DONE AND ORDERED** this 18th day of April, 2013

*s/Maurice M. Paul*  
Maurice M. Paul, Senior District Judge