

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

KELVIN J. MACK,

Plaintiff,

v.

CASE NO.5:13-cv-69-MW/GRJ

JUDGE MICHAEL C. OVERSTREET,

Defendant.

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION**

The Court has considered the Magistrate's Report and Recommendation, ECF No. 4, filed April 5, 2013. Upon consideration,

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as the Court's opinion. The Clerk shall enter judgment stating, "Plaintiff's motion for leave to proceed as a pauper, ECF No. 3, is **GRANTED** for the limited purpose of screening his claim. Plaintiff's Complaint is **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. §1915 (a)." The Clerk shall close the file.

SO ORDERED on April 24, 2013.

s/Mark E. Walker

United States District Judge