

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

**DONALD W. RAGER,**

**Plaintiff,**

v.

**Case No. 5:15cv35-MW/EMT**

**WARDEN PAIGE AUGUSTINE,  
et al.,**

**Defendants.**

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**ORDER ACCEPTING  
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation, ECF No. 178, and has also reviewed *de novo* Plaintiff's objections to the report and recommendation, ECF No. 187. Accordingly

IT IS ORDERED:

The report and recommendation is **accepted and adopted**, over Plaintiff's objections, as this Court's opinion. The Clerk shall enter judgment stating, "The amended motion for summary judgment filed by Defendants Malone, Simmons, and Watts, ECF No. 162, is **GRANTED**. Plaintiff's claims against Defendant Augustine are **DISMISSED with prejudice** for failure to state a claim upon which

relief may be granted, pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii), 1915A. Judgment is entered in favor of all Defendants.” The Clerk shall close the file.

**SO ORDERED on December 28, 2017.**

**s/ MARK E. WALKER**  
**United States District Judge**