

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

JOHN PAVAO,

Plaintiff,

v.

CASE NO. 5:15cv68-RH/GRJ

SGT. MILES et al.,

Defendants.

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ORDER OF DISMISSAL

This is a prisoner civil-rights case. The plaintiff asserts that correctional officers used excessive force against him. The defendants have moved for summary judgment. The motion is before the court on the magistrate judge's report and recommendation, ECF No. 141, which recommends granting the motion. No objections have been filed.

The plaintiff's claims are refuted in substantial part by fixed-wing video recordings that were made in the ordinary course and show events in the cellblock. The report and recommendation correctly analyzes the issues and is adopted as the court's opinion.

A word is in order about procedure. The plaintiff has repeatedly moved to appoint an attorney. Indeed, a repetitive motion to appoint an attorney made it to the clerk's office shortly after I signed the last order denying a motion to appoint an attorney. *See* ECF Nos. 151 & 152. This case is typical of the hundreds of prisoner cases filed each year in this district. Attorneys are not available for handling all the routine prisoner cases. Nothing about this case makes it a good candidate for an appointed attorney.

The plaintiff also has asked for more time to respond to the report and recommendation. As explained in the order of March 7, 2017, the plaintiff has had more than enough time to respond to the summary-judgment motion, which was filed more than a year ago, and to the report and recommendation. Further delay would change nothing.

For these reasons and those set out in the report and recommendation,

IT IS ORDERED:

1. The repetitive motion to appoint an attorney, ECF No. 151, is denied.
2. The report and recommendation, ECF No. 141, is accepted and adopted as the court's opinion.
3. The defendants' motion for summary judgment, ECF No. 100, is granted. The clerk must enter judgment stating, "The plaintiff's claims are dismissed with prejudice."

4. The clerk must close the file.

SO ORDERED on March 27, 2017.

s/Robert L. Hinkle
United States District Judge