

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

JAMES W NEWTON,

Plaintiff,

v.

CASE NO. 5:15-cv-185-LC-GRJ

LANG,

Defendants.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated August 31, 2015 (ECF No. 7), which recommended that this case be dismissed for abuse of the judicial process and failure to state a claim upon which relief may be granted. The Plaintiff has been furnished a copy of the Report and Recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed.

Having considered the Report and Recommendation, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this Order. This case is **DISMISSED without prejudice** for abuse of the judicial process and failure to state a claim upon which relief may be granted.

**DONE AND ORDERED** this 7<sup>th</sup> day of October, 2015.

*s/L.A. Collier*

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**LACEY A. COLLIER**

**SENIOR UNITED STATES DISTRICT JUDGE**