

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

JIMMY LEE WHEELER,

Plaintiff,

v.

CASE NO. 5:16-cv-00154-MP-CJK

C BRANNON, DUVAL, E JONE, JULIE JONES, D MADDOX,

Defendants.

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated June 14, 2016. (Doc. 4). 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). Plaintiff has filed objections at Doc. 5. I have made a de novo review based on those objections. Having considered the Report and Recommendation, and the timely filed objections, 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. The Clerk is directed to enter judgment stating that this case is **DISMISSED WITHOUT PREJUDICE** under 28 U.S.C. § 1915(e)(2)(B)(ii), for plaintiff's failure to state a claim on which relief may be granted. The Clerk should also close the file

DONE AND ORDERED this 29th day of December, 2016

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