

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

WILLIAM ALLEN WHITLOW,

PLAINTIFF,

-vs-

Case No. 5:16-cv-00347-WTH-GRJ

L SAMPLES, et al.,

DEFENDANTS.

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated December 28, 2016. (Doc. 5). 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. 7. 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, Doc. 5, is adopted and incorporated by reference in this order.
2. The clerk is directed to enter the following judgment: "This case is **DISMISSED** as malicious pursuant to 28 U.S.C. § 1915(e)(2)(B)(I). This dismissal shall operate as a "strike" pursuant to 28 U.S.C. § 1915(g)."

3. The clerk is directed to close the file

IT IS SO ORDERED.

DONE and ORDERED at Gainesville, Florida this 8th day of February, 2017.

A handwritten signature in blue ink, appearing to read "W. Kenneth Hodges", is written above a horizontal line.

UNITED STATES DISTRICT JUDGE