

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

JEROME EUGENE TODD,
Inmate ID Number 33233-086,

Plaintiff,

v.

CASE NO. 5:17cv39/MCR/EMT

UNITED STATES, et al.,

Defendants.

ORDER

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated March 2, 2017. ECF No. 8. 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). I have made a *de novo* determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

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

1. The chief magistrate judge's Report and Recommendation is adopted and incorporated by reference in this Order.

2. Pursuant to 28 U.S.C. § 1915(g), this cause is **DISMISSED WITHOUT PREJUDICE** to Plaintiff's initiating a new cause of action accompanied by payment of the \$400.00 filing fee in its entirety.

DONE AND ORDERED this 3rd day of April, 2017.

s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE