

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION

LLOYD CURTIS CLARK,  
FDOC Inmate No. 933876,  
Plaintiff,

vs.

Case No.: 5:17cv165-MCR-EMT

BAY CORRECTIONAL FACILITY, et al.,  
Defendants.

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**ORDER**

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated August 7, 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. This action is **DISMISSED WITHOUT PREJUDICE** as malicious,

pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

3. The clerk shall enter judgment accordingly and close this case.

**DONE AND ORDERED** this 8<sup>th</sup> day of September, 2017.

*/s/ M. Casey Rodgers*

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**M. CASEY RODGERS**  
**CHIEF UNITED STATES DISTRICT JUDGE**