

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

LARRY LEON KENDRICK,

Plaintiff,

v.

CASE NO. 5:17cv252-MCR-CJK

**WARDEN J. BLACKWOOD;
B. TYLER, CAPTAIN, and
E. KNOBEL, CORRECTIONAL
OFFICER,**

Defendants.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated October 11, 2017. ECF No. 3. 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 magistrate judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. Plaintiff's motion to proceed *in forma pauperis*, ECF No. 2, is GRANTED for the limited purpose of dismissing this action.
3. This action is DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as malicious.
4. The clerk shall close the file.

DONE AND ORDERED this 16th day of November 2017.

s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE