

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

KENNETH MOUZON,

Plaintiff,

v.

Case No. 5:21-cv-95-MCR-MJF

MARK INCH, *et al.*,

Defendants.

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated February 21, 2024, ECF No. 86. The parties were furnished a copy of the Report and Recommendation and were afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). The Court has made a de novo determination of those portions to which an objection was made.

Having considered the Report and Recommendation and all objections thereto timely filed, the Court concludes that the Report and Recommendation should be adopted.

Accordingly, it is **ORDERED** that:

1. The Magistrate Judge’s Report and Recommendation, ECF No. 86, is adopted and incorporated by reference into this Order.

2. Defendant Scoggins’s motion to dismiss, ECF No. 76, is **GRANTED**.

3. Plaintiff’s individual-capacity claim against Defendant Scoggins is **DISMISSED** for failure to exhaust administrative remedies.

4. The clerk of court shall enter judgment in favor of all Defendants in accordance with this Order and the Order dated August 9, 2022, ECF No. 31. The judgment shall state: “Plaintiff’s individual and official-capacity claims against Defendant Everett, Defendant Roger, Defendant Jodom and Defendant Centurion are **DISMISSED** with prejudice under 28 U.S.C. § 1915A(b), for failure to state a claim upon which relief can be granted. Plaintiff’s official-capacity claim against Defendant Scoggins is **DISMISSED** with prejudice under 28 U.S.C. § 1915A(b) for failure to state a claim upon which relief can be granted. Plaintiff’s individual-capacity claim against Defendant Scoggins is **DISMISSED** for failure to exhaust administrative remedies as required by 42 U.S.C. § 1997e(a).

5. The clerk of court will close this case file.

DONE AND ORDERED this 4th day of June 2024.

M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE