



UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

**Case Number: 09-62049-CIV-MORENO**

KEVIN CLEVELAND HOLAWAY,

Plaintiff,

vs.

BROWARD SHERIFF'S OFFICE  
DEPARTMENT OF DETENTION,

Defendant.

**ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION  
AND DISMISSING CASE**

THE MATTER was referred to the Honorable Andrea M. Simonton, United States Magistrate Judge for a Report and Recommendation on Plaintiff's Civil Rights Complaint (**D.E. No. 1**), filed on **December 29, 2009**. The Magistrate Judge filed a Report and Recommendation (**D.E. No. 4**) on **January 25, 2010**. The Court has reviewed the entire file and record. The Court has made a *de novo* review of the issues that the Magistrate Judge's Report and Recommendation present. The Court notes that as of the date of this Order, Plaintiff had not filed any objections. Being otherwise fully advised in the premises, it is

**ADJUDGED** that United States Magistrate Judge Patrick White's Report and Recommendation (**D.E. No. 4**) dated **January 25, 2010** is **AFFIRMED** and **ADOPTED**. Accordingly, it is

**ADJUDGED** that:

- (1) Plaintiff's complaint is dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to

state claim on which relief may be granted.

(2) All pending motions are DENIED as moot and this case is closed.

DONE AND ORDERED in Chambers at Miami, Florida, this 17<sup>th</sup> day of February, 2010.

  
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FEDERICO A. MORENO  
UNITED STATES DISTRICT JUDGE

Copies provided to:

United States Magistrate Judge Patrick White

Counsel and Parties of Record