

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-23353-CIV-LENARD/WHITE

DONNELL QUARTERMAN,

Plaintiff,

vs.

WARDEN W.S. CHURCHWELL,

Defendant.

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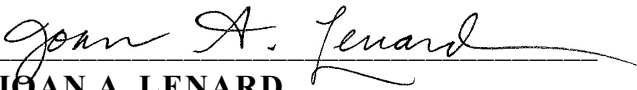
**ORDER ADOPTING SUPPLEMENTAL REPORT OF MAGISTRATE JUDGE
(D.E. 15), DENYING PLAINTIFF'S MOTION TO VACATE (D.E. 13),
AND DISMISSING PLAINTIFF'S SUPPLEMENTAL OR AMENDED
COMPLAINT (D.E. 11)**

THIS CAUSE is before the Court on the Supplemental Report and Recommendation of the Magistrate Judge ("Report," D.E. 15), issued on March 12, 2009. On May 4, 2009, Plaintiff filed his Objections to the Magistrate Judge's Report ("Objections," D.E. 23). The Report recommends denial of Plaintiff's Motion to Vacate (D.E. 13) because Plaintiff's allegations that "corrections officers are using GPS satellite to monitor his thoughts is obviously so implausible and fantastic to be patently frivolous" and does not raise any extraordinary circumstances or demonstrate any immediate danger to the Plaintiff. (Report at 4-5.) The Report further recommends that Plaintiff's "Notice of Confinement Treatment and Newly Discovered Evidence" (D.E. 11) be construed as a supplemental or amended complaint and dismissed. Plaintiff's Objections are without merit. After an independent review of the Report, the Objections, and the record, it is hereby:

ORDERED AND ADJUDGED that:

1. The Report of the Magistrate Judge (D.E. 15) is **ADOPTED**.
2. Plaintiff's Motion to Vacate (D.E. 13) is **DENIED**.
3. Plaintiff's "Notice of Confinement Treatment and Newly Discovered Evidence" (D.E. 11), construed as a supplemental or amended complaint, is **DISMISSED**.

DONE AND ORDERED in Chambers at Miami, Florida this 28th day of May, 2009.


JOAN A. LENARD
UNITED STATES DISTRICT JUDGE