

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 10-22269-CIV-LENARD/WHITE

ANGEL MARIO MELENDEZ,

Plaintiff,

v.

STATE OF FLORIDA, et al.,

Defendants.


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**ORDER ADOPTING REPORT & RECOMMENDATION OF MAGISTRATE
JUDGE (D.E. 8)**

THIS CAUSE is before the Court on the Report and Recommendation of the Magistrate Judge (“Report,” D.E. 8), issued on July 28, 2010, recommending that, after conducting initial screening pursuant to 28 U.S.C. § 1915, Plaintiff’s complaint be dismissed for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and barred by Heck v. Humphrey, 512 U.S. 477 (1994). Therein, Plaintiff was given fourteen (14) days to file objections to the Report. As of the date of this Order, Plaintiff has failed to file any objections to the Report. Failure to file timely objections shall bar the parties from attacking on appeal the factual findings contained in the report. See Resolution Trust Corp. v. Hallmark Builders, Inc., 996 F.2d 1144, 1149 (11th Cir. 1993). Based on a review of the Magistrate Judge’s Report, the Complaint, the related pleadings, and the record, it is hereby **ORDERED AND ADJUDGED** that:

1. The Report of the Magistrate Judge (D.E. 8) is **ADOPTED**;
2. Plaintiff's Complaint is **DISMISSED** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and by Heck v. Humphrey, 512 U.S. 477 (1994);
3. This case is **CLOSED**.

DONE AND ORDERED in Chambers at Miami, Florida this 31st day of August,
2010.


JOAN A. LENARD
UNITED STATES DISTRICT JUDGE