

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MARK J. DUNCAN, et al.,)
Plaintiffs,)
v.) 1:17CV1026
SHIRLEY GIBSON MCKINNEY, et al.,)
Defendants.)

ORDER

On December 12, 2017, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Plaintiffs filed objections, (ECF No. 7), within the time limit prescribed by Section 636. The Court has reviewed Plaintiffs' objections *de novo* and finds that they do not change the substance of the United States Magistrate Judge's Recommendation, (ECF No. 5), which is affirmed and adopted.

IT IS THEREFORE ORDERED that this action is DISMISSED *sua sponte* pursuant to 28 U.S.C. § 1915(e)(2)(B) for being frivolous and malicious and for failing to state a claim upon which relief may be granted.

This, the 10th day of January, 2018.

/s/ Loretta C. Biggs
United States District Judge