

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

GARLAND E. WILLIAMS,

Plaintiff,

vs.

Case No. 18-4005-SAC-KGS

UNITED STATES OF AMERICA, et al.,

Defendants.

O R D E R

This matter is before the court on the report and recommendation (Doc. No. 5) filed February 14, 2018 by United States Magistrate Judge Sebelius. The recommendation from the Magistrate Judge is that the undersigned judge dismiss this action because plaintiff's complaint fails to state a claim for which relief may be granted and because plaintiff is seeking monetary relief from defendants who are immune from such measures. Plaintiff has responded with an affidavit, a motion to vacate the report and recommendation, a memorandum in support of the motion to vacate and a motion for service of summons. Doc. Nos. 6-9.

The court has reviewed the filings in this case de novo. The court accepts the recommended decision of the Magistrate Judge and adopts it as its own. The court further denies plaintiff's motion to vacate the report and recommendation and the motion for service

of summons. Upon these rulings, plaintiff's case is dismissed without prejudice.

IT IS SO ORDERED.

Dated this 2nd day of March, 2018, at Topeka, Kansas.

s/Sam A. Crow

Sam A. Crow, U.S. District Senior Judge