

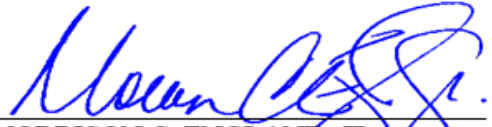
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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 17, 2019, (ECF No. 37) are ADOPTED in full;
2. Defendant Duncan is DISMISSED from this action for failure to state a claim upon which relief can be granted; and
3. Defendant Duncan's motion for summary judgment (ECF No. 25) is DENIED as moot.

IT IS SO ORDERED.

Dated: November 19, 2019


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE