

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

<p>MARY HARRIS,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p>vs.</p> <p>MONROE COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES; MONROE COUNTY COMMISSION, <u>et al.</u>,</p> <p style="padding-left: 40px;">Defendants.</p>	<p>)</p>	<p>CIVIL ACTION NO. 19-0265-CG-N</p>
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ORDER

After due and proper consideration of the issues raised, and there having been no objections filed, the second Report and Recommendation of the Magistrate Judge entered January 21, 2021 (Doc. 69) under 28 U.S.C. § 636(b)(1)(B)-(C), Federal Rule of Civil Procedure 72(b), and S.D. Ala. GenLR 72(a)(2)(S), is **ADOPTED** as the opinion of this Court.

Accordingly, the motion to dismiss Counts IV and V of the amended complaint under Federal Rule of Civil Procedure 41(b), and for the imposition of sanctions (Doc. 52), filed by Defendant Steve Stacey is **DENIED**. However, as an alternative to dismissal, the following matters are **STRICKEN** from the operative amended complaint (Doc. 51) under Federal Rule of Civil Procedure 12(f): all of Count V, and all of Count IV to the extent that cause of action is asserted against any defendant except the Monroe County Library Board of Trustees.

DONE and **ORDERED** this the 17th day of February, 2021.

/s/ Callie V. S. Granade
SENIOR UNITED STATES DISTRICT JUDGE