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1. The Findings and Recommendations filed January 28, 2016 (ECF No. 45) are ADOPTED IN FULL.

2. Defendant's Motion to Dismiss (ECF No. 33) is GRANTED in part and DENIED in part. Specifically, the Motion is GRANTED to the extent it seeks dismissal of Plaintiff's claims for injunctive relief, but DENIED to the extent it seeks dismissal of this action on principles of res judicata.

3. This action proceeds on Plaintiff's pursuit of damages premised on his First and Eighth Amendment claims against Defendant Davis.

IT IS SO ORDERED.

Dated: March 3, 2016


MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT