

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

OMEGA SMITH,

Plaintiff,

vs.

Case No. 3:10-cv-317-J-32JBT

VICKI BEASLEY, et al.,

Defendants.

ORDER

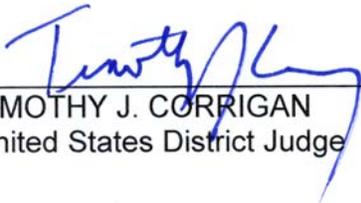
This case is before the Court on defendants' Motion to Dismiss and plaintiff's response thereto. The assigned United States Magistrate Judge issued a Report and Recommendation (Doc. 49), recommending that defendants' Motions to Dismiss (Doc. 27 and 32) be denied. Upon independent review of the file, it is hereby

ORDERED:

1. The Report and Recommendation (Doc. 49) of the Magistrate Judge is **ADOPTED** as the opinion of the Court.
2. Defendants' Motions to Dismiss (Doc. 27 and 32) are **DENIED**.
3. Plaintiff's Unopposed Motion to File Amendment to Plaintiff's First Amended Complaint (Doc. 54) is **GRANTED**. However, the new amendment should be filed as a Second Amended Complaint.
4. No later than **March 24, 2011**, plaintiff shall file its Second Amended Complaint.
5. No later than **April 15, 2011**, defendants shall file their answers to the Second

Amended Complaint.

DONE AND ORDERED at Jacksonville, Florida this 14th day of March, 2011.


TIMOTHY J. CORRIGAN
United States District Judge

mg.
Copies:

Honorable Joel B. Toomey
United States Magistrate Judge

counsel of record