

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

TIMOTHY K. LWANGA,

Plaintiff,

vs.

Case No. 3:11-cv-114-J-34TEM

REGIONAL MEDICAL DIRECTOR DR.  
PAGE SMITH, et al.,

Defendants.

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**ORDER**

**THIS CAUSE** is before the Court on Magistrate Judge Thomas E. Morris' Report and Recommendation (Dkt. No. 42; Report), entered on August 27, 2013. In the Report, Magistrate Judge Morris recommends that Defendant Hall's Motion to Dismiss (Dkt. No. 37) be granted, that Plaintiff's claim for monetary damages from Defendant Hall in his official capacity be dismissed, that Plaintiff's claim of verbal abuse be dismissed as frivolous, that Defendant Hall be dismissed, that Plaintiff's claim against Defendant Dr. Page Smith be dismissed as frivolous, that the "unknown medical personnel" be dismissed, that the Court find Plaintiff's claim for injunctive relief to be moot, and that the Clerk be directed to enter judgment and close the case. See Report at 20-21. No objections to the Report have been filed, and the time for doing so has now passed.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of fact are filed, the district court is not required to conduct a de novo

review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at \* 1 (M.D. Fla. May 14, 2007).


Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

**ORDERED:**

1. Magistrate Judge Morris' Report and Recommendation (Dkt. No. 42) is **ADOPTED** by the Court.
2. Defendant Hall's Motion to Dismiss (Dkt. No. 37) is **GRANTED**, and Defendant Hall is **DISMISSED** as a Defendant in this action.
3. Plaintiff's claim for monetary damages from Defendant Hall in his official capacity is **DISMISSED**.
4. Plaintiff's claim of verbal abuse is **DISMISSED as frivolous** pursuant to 28 U.S.C. § 1915(e)(2)(B).
5. Plaintiff's claim against Defendant Dr. Page Smith is **DISMISSED as frivolous** pursuant to 28 U.S.C. § 1915(e)(2)(B).
6. The "unknown medical personnel" are **DISMISSED** as Defendants in this case.
7. Plaintiff's claim for injunctive relief is **MOOT**.

8. The Clerk of the Court is directed to enter judgment in accordance with this Order, terminate all pending motions and deadlines as moot, and close the case.

**DONE AND ORDERED** in Jacksonville, Florida, this 20th day of September, 2013.

  
MARCIA MORALES HOWARD  
United States District Judge

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Copies to:

The Honorable Thomas E. Morris  
United States Magistrate Judge

Timothy K. Lwanga

Counsel of Record