

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

PETE MCMANUS,

Plaintiff,

v.

CASE NO. 1:08-cv-00110-MP-AK

JOHN CHERRY,
GAINESVILLE HOUSING AUTHORITY,
PEGEEN HANRAHAN,
SHIRLEY JONES,

Defendants.

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ORDER

This matter is before the Court on Doc. 41, Report and Recommendation of the Magistrate Judge, recommending that the motions to dismiss be denied as moot and the matter remanded to the Magistrate Judge for further proceedings. Plaintiff has filed a flurry of documents after the Report and Recommendation, including motions to amend the complaint and an objection to the Report and Recommendation. (Doc. 47). In the objection, he mainly objects to the certain assertions of the Magistrate Judge regarding the procedural posture of this case and does not object the ultimate relief suggested in the Report and Recommendation, which is denial of the motions to dismiss as moot, and remand to the Magistrate Judge to figure out which version of the complaint should be considered in this case. The Defendants did not respond to

the Report and Recommendation. The Court agrees that the most efficient course of action to sort out this case is to deny the motions to dismiss as moot, and remand this case to the Magistrate Judge. Accordingly it is hereby

ORDERED AND ADJUDGED:

The Report and Recommendation of the Magistrate Judge is adopted and incorporated herein, to the extent that the motions to dismiss are denied as moot, and the matter is remanded to the Magistrate Judge to consider all other pending motions.

DONE AND ORDERED this 13th day of May, 2009

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge