

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

**MELVIN PEREZ,**

**Plaintiff,**

v.

**CASE NO. 1:11-cv-180-RS-GRJ**

**MICHAEL G. SIMPSON, et al.,**

**Defendants.**

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**ORDER**

Before me are the Magistrate Judge's Report and Recommendation (Doc. 83), Plaintiff's Objections (Doc. 85) and Defendant's Response in Opposition to Plaintiff's Objections (Doc. 87). I have reviewed the objections *de novo*.

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. Defendant's Motion for Summary Judgment (Doc. 63) is **GRANTED IN PART AND DENIED IN PART.**
3. This case is referred back to the Magistrate for further proceedings.

**ORDERED** on August 27, 2013.

/S/ Richard Smoak  
**RICHARD SMOAK**  
**UNITED STATES DISTRICT JUDGE**