

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

RANDALL W. DREW,

Plaintiff,

v.

CASE NO. 1:12cv9-MP-GRJ

ROBERT J. RIVERA, et al.,

Defendants.

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ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated August 16, 2012. (Doc. 19). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a *de novo* determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is now ORDERED as follows:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. Defendant, Patrick Carey's motion to dismiss complaint (doc. 10) and defendant Robert Rivera's motion to dismiss complaint (doc. 17) are GRANTED. Plaintiff's complaint is DISMISSED with leave to amend as to defendants Rivera and Carey.
3. Defendant, Citibank, N.A.'s motion to dismiss complaint (doc. 7) is GRANTED and plaintiff's complaint as to defendant Citibank is DISMISSED with prejudice.

4. Plaintiff's motion for extension of time to file amended complaint (doc. 20) is DENIED as moot.

DONE and ORDERED this 17th day of September, 2012.

s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE