

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

FRANK P MORGAN,

Plaintiff,

v.

CASE NO. 1:12-cv-161-RV-GRJ

ALACHUA COUNTY, et al.,

Defendants.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated August 6, 2013 (doc. 20), which recommended that Defendant's motion to dismiss be granted in part and denied in part. 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). No objections have been filed.

Having considered the Report and Recommendation, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order. Defendants' motions to dismiss, Docs. 8 and 9, are **GRANTED as to all of the individual defendants, but DENIED as to the plaintiff's employer, Alachua County.** This case is remanded to the magistrate judge for further proceedings.

DONE AND ORDERED this 5th day of September 2013.

/s/ Roger Vinson

ROGER VINSON

SENIOR UNITED STATES DISTRICT JUDGE