

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

TABARUS ANTHONY JOHNSON,

Plaintiff,

v.

CASE NO. 1:13-cv-00087-MP-GRJ

BOBBY MERRIMAN, et al.,

Defendants.

_____ /

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated November 18, 2014. (Doc. 66). 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). Plaintiff has filed objections at Doc. 67. I have made a de novo review based on those objections.

Having considered the Report and Recommendation, and the timely filed objections, I have determined that the Report and Recommendation should be adopted. Additionally, while the Report and Recommendation was pending before the Court, Plaintiff filed a letter (doc. 69), in which he requests a continuance of this matter until Plaintiff goes home on May 10, 2015. Plaintiff raises no new arguments as to why he is entitled to a continuance. Because the Court now adopts the Report and Recommendation and grants Defendants' motion for summary judgment, the letter, construed as a motion to continue, must be denied as moot.

Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The Magistrate Judge's Report and Recommendation (doc. 66) is adopted and incorporated by reference in this order.
2. Defendants' motion for summary judgment (doc. 53) is GRANTED.
3. Plaintiff's motion for summary judgment (doc. 57) is DENIED.
4. Plaintiff's letter (doc. 69), construed as a motion to continue, is DENIED as moot.
5. The Clerk is directed to enter judgment in favor of Defendants and to close the file.

DONE AND ORDERED this 26th day of March, 2015

s/Maurice M. Paul
Maurice M. Paul, Senior District Judge