

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

O'DELL HALL, JR.,  
Plaintiff,

vs.

Case No. 3:06cv351/RV/EMT

LT. LEAVINS, et al.,  
Defendants.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's report and recommendation dated January 29, 2009 (Doc. 171). 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 all timely filed objections.

Having considered the report and recommendation, and any timely filed 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. Defendants Gielow and Sanford's motion for summary judgment (Doc. 121) is **DENIED**.

3. This case is referred to the assigned magistrate judge for further proceedings.

**DONE AND ORDERED** this 4th day of March, 2009.

*/s/ Roger Vinson* \_\_\_\_\_

**ROGER VINSON**  
**SENIOR UNITED STATES DISTRICT JUDGE**