

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

ROBERT D. KORNAGAY,
Plaintiff,

vs.

Case No. 3:11cv428/LAC/EMT

SERGEANT GIVEN, et al.,
Defendants.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated February 24, 2014 (doc. 131). 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 the objections filed.

Having considered the Report and Recommendation, and the timely filed objections thereto, 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. The motion for summary judgment filed by Defendants (doc. 102) is **GRANTED IN PART AND DENIED IN PART AS FOLLOWS:**

a. The motion is **DENIED** with respect to Plaintiff's failure-to-protect claim against Defendants Given, Slattery, Weekly, Fenner, and Smith.

b. The motion is **DENIED** with respect to Plaintiff's retaliation claim against Defendant Given.

c. The motion is **GRANTED** with respect to Plaintiff's medical claim against Defendants Given, Williams, Slattery, Johnson, Roberts, and Nolan. As no claims remain against Defendants Williams, Johnson, Roberts, and Nolan, these Defendants are **DISMISSED** from this action.

DONE AND ORDERED this 24th day of March, 2014.

s/L.A. Collier

LACEY A. COLLIER

SENIOR UNITED STATES DISTRICT JUDGE