

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

**ANIBAL SAN ANTONIO,**

**Plaintiff,**

**vs.**

**Case No. 3:13cv528/RV/CJK**

**MARK HENRY, et al.,**

**Defendants.**

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**ORDER**

Upon consideration of the Report and Recommendation of the Magistrate Judge filed on November 4, 2013 (doc. 9), pursuant to 28 U.S.C. § 636(b)(1)(B), and after reviewing objections to the Recommendation (doc. 10), the Recommendation is adopted as the opinion of the Court.

Accordingly, it is now ORDERED as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 9) is adopted and incorporated by reference in this order.
2. Plaintiff's motion to remand (doc. 6) is DENIED.
3. This case is remanded to the Magistrate Judge for further pre-trial proceedings, including the issuance of a report and recommendation on defendants Henry, Shipman and Subsavage's motion to dismiss (doc. 4).

DONE AND ORDERED this 25th day of November, 2013.

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

**ROGER VINSON  
SENIOR UNITED STATES DISTRICT JUDGE**