

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

JOHNNIE L. BATTLES,

Plaintiff,

v.

Case No. 3:14cv521/MCR/CJK

PAULA FOSKEY,

Defendant.

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ORDER

This cause comes on for consideration of the Magistrate Judge's Report and Recommendation dated November 28, 2016. ECF No. 37. 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 timely objections have been filed. After reviewing the Report and Recommendation and the record, the Court has determined that the Report and Recommendation should be adopted.

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

1. The Magistrate Judge's Report and Recommendation, ECF No. 37, is adopted and incorporated by reference in this Order.

2. Defendant Foskey's motion for summary judgment, ECF No. 28, is **GRANTED**, and the Clerk is directed to enter judgment accordingly.

3. The Clerk is also directed to enter judgment **DISMISSING** plaintiff's claims against defendants Crews, Whitehurst, Myers, Asencio and Carter according to the November 15, 2015 Order, ECF No. 15.

4. The Clerk shall close the file.

DONE AND ORDERED this 28th day of December, 2016.

M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE