

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

**KIM ANTHONY POLONCZYK,**

**Plaintiff,**

**v.**

**Case No. 3:15cv245-LC-CJK**

**STATE OF FLORIDA, et al.,**

**Defendants.**

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated August 22, 2017 (doc. 33). Plaintiff has been furnished a copy of the Report and Recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed.

Having considered the Report and Recommendation, 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. Defendant, Escambia County Tax Collector's Motion to Dismiss Second Amended Complaint (doc. 21) is GRANTED.

3. The Corrected Motion to Dismiss of Defendants State of Florida and Florida Department of Highway Safety and Motor Vehicles (doc. 24) is GRANTED, and the complaint is DISMISSED, with judgment for defendants.

4. Plaintiff's motions for judgment on the pleadings (docs. 27, 32) are DENIED.

5. The clerk shall close the file.

**DONE AND ORDERED** this 21<sup>st</sup> day of September, 2017.

*s/L. A. Collier*  
**LACEY A. COLLIER**  
**SENIOR UNITED STATES DISTRICT JUDGE**