

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

JAMMIE DARNELL GORDON, II,

Plaintiff,

v.

Case No. 3:15cv396-LC-HTC

COLONEL CARTER, et al.,

Defendants.

\_\_\_\_\_ /

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated December 9, 2019 (doc. 154). 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 timely filed objections.

Having considered the Report and Recommendation and the 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. Defendants' Motion for Summary Judgment (doc. 132) is **DENIED** as to Plaintiff's claim for compensatory and punitive damages for violating his Eighth Amendment rights.

3. Defendants' Motion for Summary Judgment is **DENIED** as to Plaintiff's claim against Defendant Marinin.

4. Defendants' Motion for Summary Judgment is **GRANTED** as to Plaintiff's failure to intervene/protect claim against all Defendants, EXCEPT Marinin and Paul.

5. Defendants' Motion for Summary Judgment is **GRANTED** as to Plaintiff's claims for retaliation (First Amendment claim), violation of his rights to equal protection (Fourteenth Amendment claim), and conspiracy to obstruct justice.

6. This matter is referred to the chambers of Magistrate Judge Hope T. Cannon for further pretrial proceedings.

**DONE AND ORDERED** this 6<sup>th</sup> day of January, 2019.

*s/L.A. Collier* \_\_\_\_\_

**LACEY A. COLLIER**  
**SENIOR UNITED STATES DISTRICT JUDGE**