

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

ALVIN R. BARNEY, II,

Plaintiff,

v.

CASE NO. 3:17cv3-MCR-CJK

**ESCAMBIA COUNTY, FLORIDA,
et al.,**

Defendants.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated May 30, 2018. ECF No. 94. 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). I have made a *de novo* determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined 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' motions to dismiss, ECF Nos. 78, 80, 81, and 82, are GRANTED and plaintiff's claims against Escambia County, Florida; Steven Barry; David Morgan; Todd Gerald Glaze; Harry Green; and Patricia A. Kinsey are DISMISSED WITHOUT PREJUDICE.

3. Plaintiff's motion for judgment on the pleadings against Ms. Cosby, ECF No. 67, is DENIED and plaintiff's claims against Ms. Cosby are DISMISSED WITHOUT PREJUDICE for failure to state a claim upon which relief can be granted.

4. Plaintiff's motion for summary judgment against Judge Kinsey, ECF No. 71, is DENIED.

5. All other pending motions are DENIED as moot.

6. The clerk of court shall close the file.

DONE AND ORDERED this 29th day of August 2018.

s/ M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE