

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

**DERRICK GRANTLEY,**

**Plaintiff,**

**v.**

**Case No. 3:17cv35-MCR-CJK**

**E. L. SAM, et al.,**

**Defendants.**

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**ORDER**

This cause comes on for consideration of the Magistrate Judge's Report and Recommendation dated March 19, 2018. ECF No. 41. 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 to the Recommendation have been filed. Having fully reviewed the Recommendation and the record, the Court has determined that the Report and Recommendation should be adopted.

Accordingly, it is ORDERED:

1. The Magistrate Judge's Report and Recommendation, ECF No. 41, is adopted and incorporated by reference in this Order.

2. Defendants Sam, Enfinger and Nichols' motion to dismiss, ECF No. 37, is **DENIED**. Defendants shall file an answer to plaintiff's second amended complaint within **30 days** from the date of this order.

3. Plaintiff's claims against defendant S.I. Yun are **DISMISSED**.

**DONE AND ORDERED** this 17th day of April 2018.

*M. Casey Rodgers*

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**M. CASEY RODGERS**  
**CHIEF UNITED STATES DISTRICT JUDGE**