

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

LESTER WASHINGTON,

Plaintiff,

vs.

Case No.: 3:18cv446/RV/EMT

STATE OF FLORIDA, et al.,

Defendants.

ORDER

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated August 23, 2019 (ECF No. 68). The parties have been furnished a copy of the Report and Recommendation and afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). The plaintiff has filed an objection (ECF No. 70), and I have made a de novo review of that objection.

Having considered the Report and Recommendation, and the plaintiff's objection thereto, I have determined that the Report and Recommendation should be adopted.

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

1. The chief magistrate judge's Report and Recommendation (ECF No. 68) is adopted and incorporated by reference in this order.

2. The Motions to Dismiss (ECF Nos. 34, 36, 40) are **GRANTED**, and Plaintiff's claims are **DISMISSED** as follows:

a. Plaintiff's claims against Defendant Escambia County School District/School Board are **DISMISSED WITH LEAVE TO AMEND**;

b. Plaintiff's claims against the remaining Defendants are **DISMISSED WITHOUT LEAVE TO AMEND**.

3. The case is recommitted to the assigned magistrate judge for issuance of an order directing Plaintiff to file a Second Amended Complaint.

DONE AND ORDERED this 10th day of September, 2019.

/s/ Roger Vinson

ROGER VINSON
SENIOR UNITED STATES DISTRICT JUDGE