

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

ALVIN R. BARNEY, II,

Plaintiff,

v.

CASE NO. 3:18cv620-MCR-CJK

LEON M. BIEGALSKI, et al.,

Defendants.

---

**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated February 12, 2019. ECF No. 54. 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 any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, 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 to Take Judicial Notice, ECF No. 18, is **GRANTED**.

3. Defendants' Motion to Dismiss Amended Complaint, ECF No. 17, is **GRANTED**. Plaintiff's federal claims are **DISMISSED WITH PREJUDICE** and plaintiff's state-law claims are **DISMISSED WITHOUT PREJUDICE**.

4. The clerk is directed to close the file.

**DONE AND ORDERED** this 18th day of March 2019.

*s/ M. Casey Rodgers*  
\_\_\_\_\_  
**M. CASEY RODGERS**  
**UNITED STATES DISTRICT JUDGE**