

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

AKEEM MUHAMMAD,

Plaintiff,

v.

4:05cv193-WS

JAMES V. CROSBY, et al.,

Defendants.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
AMENDED REPORT AND RECOMMENDATION

Before the court is the magistrate judge's amended report and recommendation docketed July 6, 2009. See Doc. 335. The magistrate judge recommends that the defendants' supplemental motion for summary judgment (doc. 312), incorporating the motion for summary judgment (doc. 272) filed on October 30, 2008, be granted. The plaintiff has filed objections (doc. 337) to the amended report and recommendation.

The court has reviewed the record in light of the plaintiff's objections and has determined that the magistrate judge's amended report and recommendation should be adopted as to the plaintiff's RLUIPA claims. The plaintiff maintains that he has abandoned his First Amendment claim.

Accordingly, it is ORDERED:

1. As to the plaintiff's RLUIPA claims, the magistrate judge's amended report and recommendation (doc. 335) is ADOPTED and incorporated into this order by

reference.

2. The defendants' supplemental motion for summary judgment (doc. 312), incorporating the motion for summary judgment (doc. 272) filed on October 30, 2008, is GRANTED as to the plaintiff's official-capacity RLUIPA claims. The plaintiff's First Amendment Halal diet claim is deemed ABANDONED.

3. The plaintiff's motion for preliminary injunction (doc. 329) is DENIED.

4. The defendants having now been granted summary judgment as to all of the plaintiff's claims, see doc. 233, the clerk shall enter judgment in favor of the defendants as to all of the plaintiff's claims.

DONE AND ORDERED this 3rd day of September, 2009.

s/ William Stafford

WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE