

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

FELIX GARCIA,

Plaintiff,

v.

Case No. 4:07cv474-SPM/WCS

EDWIN BUSS,

Defendant.

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**ORDER**

This cause comes before the Court for consideration of the Magistrate Judge's Fourth Report and Recommendation (doc. 244) which recommends that Plaintiff's Motion for Class Certification (doc. 195) and Motion for Preliminary Injunctive Relief (doc. 198) be denied. Plaintiff has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). Plaintiff filed no objections with respect to the Magistrate Judge's recommendation to deny the Motion for Class Certification, but did file objections regarding the recommendation to deny the Motion for Preliminary Injunctive Relief. Upon consideration, and despite the objections filed by Plaintiff, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is hereby ORDERED as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 244) is **adopted** and incorporated by reference into this order; and
2. Plaintiff's Motions for Class Certification (doc. 195) and for Preliminary Injunctive Relief (doc. 198) are **denied**.
3. The parties are hereby permitted to file motions for summary judgment within 20 days of the entry of this order.
4. This case is remanded to the Magistrate Judge for further proceedings.

**DONE AND ORDERED** this 19th day of September, 2011.

*S/ Stephan P. Mickle*  
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Stephan P. Mickle  
Senior United States District Judge