

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

NORRIS NEAL CALHOUN,

Plaintiff,

vs.

CASE NO.: 4:08-cv-409-SPM-WCS

FLORIDA STATE HOSPITAL,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

THIS CAUSE comes before the court upon the Magistrate Judge's Report and Recommendation (doc. 47), which recommends that Defendant's Motion for Summary Judgment (doc. 32) be granted. Plaintiff has been furnished a copy and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed. Having considered the Report and Recommendation, it is hereby ORDERED AND ADJUDGED as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 47) is **adopted** and incorporated by reference in this order.
2. Defendant's Motion for Summary Judgment (doc. 32) is **granted**.

DONE AND ORDERED this third day of December, 2009.

*s/ Stephan P. Mickle*

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Stephan P. Mickle  
Chief United States District Judge