

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

SHERRIE LEMCOOL,

Plaintiff,

v.

CASE NO. 4:09cv376-RH/WCS

ASSISTANT WARDEN POOL
et al.,

Defendants.

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ORDER ON SUMMARY JUDGMENT

This case is before the court on the magistrate judge's report and recommendation, ECF No. 64. No objection has been filed. Upon consideration

IT IS ORDERED:

The report and recommendation is ACCEPTED and adopted as the court's opinion. The defendants' motion for summary judgment, ECF No. 53, is GRANTED IN PART and DENIED IN PART. The plaintiff's Tarot Card and three-ring-binder claims are dismissed on the merits. The plaintiff's other claims are remanded to the magistrate judge for further proceedings. I do *not* direct the

entry of judgment under Federal Rule of Civil Procedure 54(b).

SO ORDERED on December 3, 2011.

s/Robert L. Hinkle
United States District Judge