

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

JOSE M. CHARRIEZ,

Plaintiff,

vs.

Case No. 4:11cv379-LC/CAS

MARK GARCIA,

Defendant.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's Third Report and Recommendation dated March 3, 2014. Doc. 66. The parties have been furnished a copy of the report and recommendation and afforded an opportunity to file objections. No objections have been filed.

Having considered the report and recommendation, 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. Defendant Garcia's motion for summary judgment, doc. 59, is **GRANTED** and the Clerk shall enter judgment in his favor on all claims. Plaintiff's Rule 60 motion to reinstate his claims against Defendant Bannister, doc. 60, is **DENIED**.

DONE AND ORDERED this 31st day of March, 2014.

s/L.A. Collier _____

LACEY A. COLLIER

Senior United States District Judge