

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

DANIEL R. LONERGAN,

Plaintiff,

v.

Case No. 4:14cv42-MW/CAS

**JULIE L. JONES, Secretary,
Department of Corrections,**

Defendant.

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**ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 77. Upon consideration, no objections having been filed by the parties,

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as this Court's opinion. Plaintiff's motion for summary judgment, ECF No. 64, and Defendant's motion for summary judgment, ECF No. 66, are **DENIED** because there are

genuine disputes of material fact. This case is **REMANDED** to the Magistrate Judge for further proceedings prior to setting the case for trial.

SO ORDERED on March 30, 2017.

s/Mark E. Walker
United States District Judge