

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

WESLEY TIMOTHY FULLARD,

Plaintiff,

v.

Case No. 4:16cv507-MW/CAS

**MARIA THOMAS, R.N.,
CARRIE RHODES, L.P.N.,
DR. MARY PLISKIN,
and DR. VIRGINIA MESA,**

Defendants.

ORDER ACCEPTING REPORT AND RECOMMENDATION

This Court has considered, without hearing, the Magistrate Judge's Second Report and Recommendation, ECF No. 61, and has also reviewed *de novo* Plaintiff's objections to the report and recommendation, ECF No. 62.

Accordingly,

IT IS ORDERED:

The second report and recommendation is **accepted and adopted**, over Plaintiff's objections, as this Court's opinion. The second motion to dismiss, ECF No. 49, filed by Defendant Mesa is **GRANTED**. The first motion to dismiss, ECF No. 43, is **GRANTED** as to the claim against Defendant Pliskin but the motion is

DENIED as to Plaintiff's claims against Defendants Rhodes and Thomas. This case is remanded to the Magistrate Judge for further proceedings.

SO ORDERED on February 8, 2018.

s/Mark E. Walker
United States District Judge