

**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.**

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**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**