

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION

MANUEL HIERRO,

Plaintiff,

v.

CASE NO. 5:09-cv-00068-RS-GRJ

DR DANIEL CHERRY, et al,

Defendants.

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**ORDER**

This matter is before the Court upon Plaintiff's motions: Motion to Amend/Correct Complaint Against County of Orange (Doc. 102); and Motion to Bar Defendant Cherry from Filing a Second Motion for Summary Judgment. (Doc. 103).

Both motions (docs. 102 and 103) are **DENIED**.

As the Court explained previously (see doc. 61), Orange County should not be named as a defendant since Plaintiff has asserted no claims against it. Naming it as a party simply to engage in discovery is not an appropriate means to obtain information.

Also, as the Court has ruled previously (doc. 85), over Plaintiff's objections (doc. 83), the defendants will be granted leave to file a second motion for summary judgment. It will not reconsider this decision.

**DONE AND ORDERED** this 14th day of September 2010.

*s/ Gary R. Jones*

GARY R. JONES  
United States Magistrate Judge