

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

OLIVER L. CANADAY,

Plaintiff,

vs.

CASE NO. 5:09cv247/RS-EMT

MICHAEL W. WYNNE,

Defendant.

---

**ORDER**

Before me are the Magistrate Judge's Order, Report and Recommendation (Doc. 27) and Plaintiff's Objections To Report and Recommendation (Doc. 33). I have considered Plaintiff's objections *de novo*.

**IT IS ORDERED:**

1. The Magistrate Judge's Order, Report and Recommendation (Doc. 27) is adopted and incorporated by reference in this Order.
2. Plaintiff's Motion for Default Judgment (Doc. 15) is **denied**.
3. Plaintiff's "Motion To Court, Void Defendant's Motion To Dismiss Or In The Alternative Motion For Summary Judgment" (Doc. 16) is **denied**.
4. Plaintiff's "Motion To Court, Defendant To Answer Every Element Of Plaintiff's Claim By, [sic] To Admit Or Deny Every Element and Defendant's Answer [sic] Must State Any Affirmative Defenses" (Doc. 22) is **denied**.

5. Defendant's For Summary Judgment (Doc. 12) is **granted**. The clerk is directed to enter summary final judgment in favor of Defendant Michael W. Wynne.
6. The clerk is directed to close the file.

**ORDERED** on July 2, 2010.

/S/ Richard Smoak  
**RICHARD SMOAK**  
**UNITED STATES DISTRICT JUDGE**