

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

KURTIS ROY JETER,

Plaintiff,

v.

CASE NO. 5:11-cv-135-RS-CJK

ISAAC KENNETH DUREN, et al.,

Defendants.

_____ /

ORDER

Before me are the Magistrate Judge's Report and Recommendation (Doc. 31) and Plaintiff's Objections (Doc. 34). I have considered Petitioner's objections *de novo*.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. Defendant Pierce's Motion for Summary Judgment (Doc. 15) is **GRANTED**. The Clerk is directed to enter final summary judgment in favor of Defendant Pierce.
3. Defendant Duren's Motion for Partial Summary Judgment (Doc. 16) is **GRANTED**. The Clerk is directed to enter final

summary judgment in favor of Defendant Duren as to all of Plaintiff's federal claims under 42 U.S.C. § 1983.

4. Plaintiff's Motion for Summary Judgment (Doc. 8) is **DENIED.**
5. Plaintiff's state-law tort claims against Defendant Duren are remanded to state court.
6. The clerk is directed to close the file.

ORDERED on March 30, 2012.

/S/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE