

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

**ROOSEVELT THOMAS,**

**Plaintiff,**

**v.**

**CASE NO. 5:11-cv-225-MW/EMT**

**CORRECTIONAL COUNSEL  
SOREY,**

**Defendant,**

\*\*\*\*\*

**ORDER ACCEPTING AND ADOPTING REPORT AND  
RECOMMENDATION**

The Court has considered the Magistrate's Report and Recommendation, ECF No. 64, filed July 1, 2013, in addition to the Motion to Have Case Set for Jury Trial, ECF No. 66, filed July 3, 2013, construed by the Magistrate as a response to the Defendant's Motion to Dismiss/Motion for Summary Judgment, ECF No. 47, filed October 12, 2013, and the Magistrate's Supplement to Report and Recommendation, ECF No. 67, filed July 5, 2013. Upon consideration,

**IT IS ORDERED:**

The report and recommendation and the supplement to the report and recommendation are **accepted and adopted** as the Court's opinion. The Clerk shall enter judgment stating, "Defendant Sorey's motion for summary judgment,

ECF No. 47, is **GRANTED**, Plaintiff's motion to set case for trial, ECF No. 66, is **DENIED**, and this case is **DISMISSED with prejudice.**" The Clerk shall close the file.

**SO ORDERED on July 18, 2013.**

**s/Mark E. Walker**  
**United States District Judge**