

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

HENRY WILLIAMS,

Plaintiff,

v.

CASE NO. 5:11-cv-00378-MP-GRJ

CULPEPPER, SIMMONS, SINCLAIR,

Defendants.

**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated October 16, 2012. (Doc. 36). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a de novo determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is hereby

**ORDERED AND ADJUDGED:**

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. The official capacity claim against Sgt. Simmons is dismissed with prejudice. The individual capacity claims against Sgt. Simmons and the other claims in the case are unaffected by this order.

**DONE AND ORDERED** this 18th day of December, 2012

*s/Maurice M. Paul*  
Maurice M. Paul, Senior District Judge