

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

BERNEST MONTGOMERY,  
Plaintiff,

v.

Case No.: 5:14cv91/RV/EMT

KENDAL MAY,  
Defendant.

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**ORDER**

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated January 25, 2017 (ECF No. 112). 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 all timely filed objections.

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

Accordingly, it is now **ORDERED** as follows:

1. The chief magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.

2. This case is **DISMISSED with prejudice**.

**DONE AND ORDERED** this 24<sup>th</sup> day of February 2017.

/s/ Roger Vinson  
**ROGER VINSON**  
**SENIOR UNITED STATES DISTRICT JUDGE**