

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

AVION LAWSON,

Plaintiff,

v.

CASE NO. 5:15-cv-00308-WTH-GRJ

S J GILLMAN, D A LEAVINS, K MCCRARY,

Defendants.

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**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation, ECF No. 60, addressing defendant Gillman and McCrary's Motion for Summary Judgment, ECF No. 53. 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). The defendants have filed objections at ECF No. 63, which plaintiff moved to strike at ECF No. 65. Plaintiff does not point to any procedural or timeliness issue with the objections; he simply disagrees with them. Thus, striking the objections is not appropriate, but this Court has considered plaintiff's arguments as part of the de novo review of the Report and Recommendation based on those objections.

Having considered the Report and Recommendation, and the timely filed objections, 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. To the extent that plaintiff seeks monetary damages from Gillman and McCrary in their official capacities, summary judgment is granted on those claims.
3. Summary judgment is also granted on plaintiff's retaliation claim against Gillman and McCrary.
4. The Motion for Summary Judgment at ECF No. 53 is denied in all other respects.

**DONE AND ORDERED** this 22nd day of November, 2017



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UNITED STATES DISTRICT JUDGE