

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

JOHN LEE WASHINGTON,

Plaintiff,

v.

CASE NO. 5:16-cv-00227-WTH-CJK

CALHOUN C I, ROBIN SMITH,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated April 25, 2018. (ECF No. 62). 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). Plaintiff has filed objections at ECF No. 63. I have made a de novo review 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. The plaintiff's Motion for Summary Judgment, ECF No. 51, is DENIED. Defendant's Motion for Summary Judgment, ECF No. 52, is GRANTED. The motions at ECF No. 58 and 64 are DENIED.
3. The Clerk shall enter the following judgment: "Summary judgment in favor of defendant Robin Smith, Warden, is GRANTED on all of plaintiff's claims."
4. The Clerk is directed to close the file.

**DONE AND ORDERED** this 3rd day of July, 2018



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UNITED STATES DISTRICT JUDGE