UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 06-22957-CIV-MARTINEZ
MAGISTRATE JUDGE P.A. WHITE

JUAN B. FERNANDEZ,   :

         Plaintiff,   :

v.   :   REPORT THAT CASE IS
                                               READY FOR TRIAL
METRO-DADE POLICE DEPT., et al., :

         Defendants.   :

_____

     In this case, after prior Reports (DE#s 10, 24, 31, 41, 65)
and Orders thereon (DE#s 11, 43, 44, 51, 71) the *pro se* civil
rights complaint pursuant to 42 U.S.C. §1983 complaint, as amended,
remained pending against three Miami-Dade Policemen: Officer
Ramades Perez [Badge 4982], Officer Noel Rodriguez [Badge 5598],
and Sgt. Roberto Perez [Badge 2437]. Upon review of the record, a
separate Report has been entered this date recommending that the
defendants' joint motion for summary judgment be granted, in part,
and denied, in part. It recommends that as to the plaintiff's
Fourth Amendment claim relating to probable cause for his arrest,
and his related claim of malicious prosecution, and as to uses of
force prior to or during handcuffing, the defendants' join motion
be granted. It further recommends that as to claims of post-
restraint uses of force raised against Ramades Perez and Noel
Rodriguez, and claims of denied and/or delayed medical care raised
against Roberto Perez, the defendants' joint motion be denied.

     The plaintiff and defendants have filed their respective
unilateral pretrial statements (DE#s 70 and 76). The case is
otherwise now at issue; and the parties have not consented to trial
before a Magistrate Judge pursuant to 28 U.S.C. §636(c).

     It is therefore respectfully recommended that this case be
placed on the trial calendar of the District Judge.

     Dated: January 22nd, 2009.

                                    _____
                                    UNITED STATES MAGISTRATE JUDGE

cc: The Honorable Jose E. Martinez,
       United States District Judge

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