

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 19-22928-CV-KING

MARVIN PACE,

Plaintiff,

v.

A. LAWRENCE,
et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

THIS MATTER comes before the Court upon the September 25, 2020 Report and Recommendation of Magistrate Judge Lisette M. Reid (DE 22). Objections were due by October 9, 2020; none were filed.

After initial screening of the Complaint, pursuant to 28 U.S.C. § 1915(e)(2), Judge Reid recommends that the following claims **PROCEED**:

1. The excessive force claims against Defendant Lewis and Defendant Barnes;
2. The state law battery claims against Defendant Lewis and Defendant Barnes;
3. The failure-to-intervene claims against Defendants Martin, Kaesenthout, and Lieutenant M.P.;
4. Both deliberate indifference to serious medical needs claims against Defendant Lewis;
5. The conditions-of-confinement claim under the Eighth Amendment against Defendant Lewis;
6. The due process claims against Defendants Lewis, Duke, and the Jane Doe Defendant.

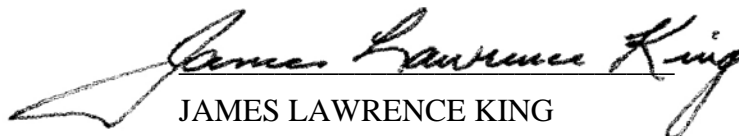
Additionally, Judge Reid recommends that the following claims be **DISMISSED**:

7. The ADA claim against Defendant Lewis;
8. The access-to-courts claim against Defendant Lewis;

9. The right to communicate claim against Defendant Lewis;
10. The failure to protect claim against all Defendants;
11. The “Fraud by False Documentation” claim;
12. The RLUIPA claim against Defendant Lewis;
13. The First Amendment Free Exercise Clause claim against Defendant Lewis; and
14. All other claims that were invoked and not fully developed against any other Defendant.

After a thorough review of the record, and consideration of the R&R, the Court concludes that the R&R is well-reasoned and accurately states the law of the case. Therefore, it is **ORDERED, ADJUDGED, and DECREED** that Magistrate Judge Reid’s Report and Recommendation (**DE 22**) be, and the same is, hereby **AFFIRMED and ADOPTED** as an order of this Court.

DONE and ORDERED in chambers at the James Lawrence King Federal Justice Building and United States Courthouse, Miami, Florida, this 14th day of October, 2020.


JAMES LAWRENCE KING
UNITED STATES DISTRICT JUDGE

cc: Magistrate Judge Lisette M. Reid
All counsel of record
Marvin Pace, *pro se*