

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 9:18-CV-80657-ROSENBERG/REINHART**

SKENDER HOTI,

Plaintiff,

v.

BANK OF AMERICA, N.A., *et al.*,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

This matter is before the Court upon a Report and Recommendation [DE 70] on Defendant Palm Beach Sheriff Ric Bradshaw's ("PBSO") Motion to Dismiss [DE 41], Defendant Marinosci Law Group's ("MLG") Motion to Dismiss [DE 43], and Defendant Palm Beach County's ("PBC") Motion to Dismiss [DE 53]. The case previously was referred to the Honorable Bruce E. Reinhart, United States Magistrate Judge for the Southern District of Florida. DE 2. Judge Reinhart issued the Report and Recommendation on July 21, 2021, recommending that Defendant PBSO's Motion to Dismiss [DE 41] be granted in part and denied in part; that Defendant MLG's Motion to Dismiss [DE 43] be granted; and that Defendant PBC's Motion to Dismiss [DE 53] be granted. On August 4, 2021, Plaintiff filed Objections to the Report and Recommendation. DE 73.

The Court has reviewed the Report and Recommendation [DE 70], Plaintiff's Objections [DE 73], and the record, and is otherwise fully advised in the premises. The Court finds Judge Reinhart's conclusions and recommendation to be well reasoned and correct and agrees with the analysis in the Report and Recommendation.

For the foregoing reasons, it is hereby **ORDERED and ADJUDGED** that:

1. Magistrate Judge Reinhart's Report and Recommendation [DE 70] is **ADOPTED** as the Order of the Court.
2. Defendant PBSO's Motion to Dismiss [DE 41] is **GRANTED IN PART** and **DENIED IN PART**. Counts I and V brought by Plaintiff against Defendant PBSO are **DISMISSED WIHTOUT PRJEUDICE**. Plaintiff shall have one final opportunity to amend his Complaint as to Counts I and V against PBSO only. Plaintiff shall file his Second Amended Complaint by no later than **August 19, 2021**. Counts II, III, and VI brought against PBSO are **DISMISSED WITH PREJUDICE**.
3. Defendant MLG Motion to Dismiss [DE 43] is **GRANTED**. All claims brought by Plaintiff against Defendant MLG (Counts I-III, V, and VI) are **DISMISSED WITH PREJUDICE**.
4. Defendant PBC's Motion to Dismiss [DE 53] is **GRANTED**. All claims brought by Plaintiff against Defendant PBC (Counts I-III, V, and VI) are **DISMISSED WITH PREJUDICE**.

DONE and ORDERED in Chambers, West Palm Beach, Florida, this 6th day of August, 2021.



ROBIN L. ROSENBERG
UNITED STATES DISTRICT JUDGE

Copies furnished to Plaintiff and Counsel of Record