

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

RODERICK D. HAYNES, )

Plaintiff, )

v. )

CV 114-237

DEPUTY MICHAEL GARNER, in his )  
Individual and Official Capacity, )

Defendant. )

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**ORDER**

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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **GRANTS IN PART** Defendant's motion to dismiss, **GRANTS IN PART** Plaintiff's motion to strike, **DISMISSES** Plaintiff's official capacity claims, and **STRIKES** Defendant's second and seventh affirmative defenses.

SO ORDERED this 23<sup>rd</sup> day of March, 2016, at Augusta, Georgia.




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HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA