

In the United States District Court
For the Southern District of Georgia
Waycross Division

QUINTAVIOUS LUNDY,

Plaintiff,

v.

JAMES K. COX, JR.; KIMBERLY LOWE;
WILLIAM STEEDLY; and GREGORY
DOZIER,

Defendants.

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CIVIL ACTION NO.: 5:16-cv-71

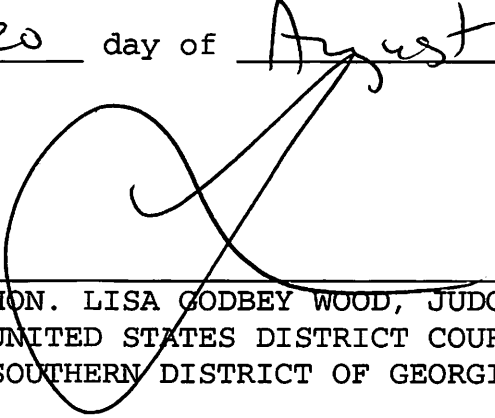
ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's July 16, 2018 Report and Recommendation, dkt. no. 38, to which the parties did not file Objections. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court and **GRANTS in part** and **DENIES in part** Defendants' Motion to Dismiss, dkt. no. 22.

The Court **DISMISSES** Plaintiff's substantive due process claims against all Defendants for failure to state a claim, and, in the alternative, the Court **GRANTS** Defendants qualified immunity as to those claims. However, the Court **DENIES** Defendants Motion to Dismiss and qualified immunity as to

Plaintiff's procedural due process claims; these claims shall remain pending before the Court against all Defendants. The Court hereby **LIFTS** the stay imposed in this case. Defendants' Answer is due within **fourteen (14)** days from the date of this Order. Fed. R. Civ. P. 12(a)(4)(A). Upon Defendants' Answer, the Clerk of Court will enter a Scheduling Notice.

SO ORDERED, this 20 day of August, 2018.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA