

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

SYLVESTER BUTLER, et al.,

Plaintiffs,

vs.

Case No. 3:04-cv-917-J-32MMH

JAMES MCDONOUGH, et al.,

Defendants.

---

**ORDER**

Upon consideration, it is hereby

**ORDERED:**

The parties' Stipulated Motion for Voluntary Dismissal of Plaintiff Massie's Claims for Injunctive and Declaratory Relief, But Not His Claims for Damages (Doc. 196) is **GRANTED**; plaintiff Curt Massie's Count XI claims for injunctive and declaratory relief are dismissed without prejudice; his Count IV claim for damages will be tried with the remainder of the case. (Counts I-III and V-X (which do not involve plaintiff Massie) and the other plaintiffs' Count XI claims remain unaffected by this Order).

**DONE AND ORDERED** at Jacksonville, Florida this 20<sup>th</sup> day of June, 2006.

  
**TIMOTHY J. CORRIGAN**  
United States District Judge

s.

Copies:

counsel of record