

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FT. PIERCE DIVISION  
Case No. 99-14027-CIV-GRAHAM/LYNCH

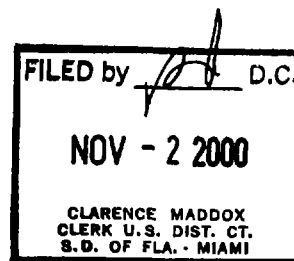
MARCELLUS M. MASON, JR.,

Plaintiff,

vs.

HEARTLAND LIBRARY COOPERATIVE,  
HIGHLANDS COUNTY BOARD OF COUNTY  
COMMISSIONERS, et. al.,

Defendants.



ORDER

**THIS CAUSE** came before the Court upon Plaintiff's Appeal to District Judge Graham of Magistrate Judge's Order (D.E. #264) Denying Plaintiff's Motion to Rescind Order on Defendants' Renewed motion for Preliminary Injunction for Preliminary Injunction (sic) (Motion filed July 12, 2000) and Defendants' Motion for Contempt and Sanctions (D.E. #234).

On June 19, 2000, the Honorable Magistrate Judge Frank J. Lynch entered an Order granting Defendants a preliminary injunction prohibiting the Plaintiff from contacting any of the Defendants in this action. Upon notice that Plaintiff was violating this order, Defendants filed a Renewed Motion for Preliminary Injunction. On July 25, 2000, Magistrate Judge Lynch entered an Order granting Defendants' Renewed Motion for Preliminary Injunction, once again prohibiting Plaintiff from

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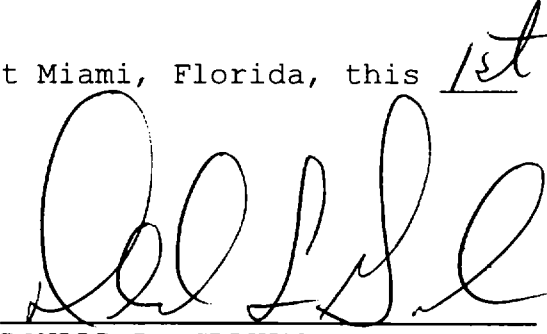
contacting any of the Defendants in this action or their supervisory employees. Magistrate Judge Lynch also ordered that Plaintiff shall only correspond with Defendants' counsel. Plaintiff then moved to rescind the July 25, 2000 order, however, on August 15, 2000, Magistrate Judge Lynch denied Plaintiff's Motion to Rescind. Plaintiff appeals the August 15, 2000 ruling.

After careful review of the file and the pertinent portions of the record, the Court finds that Magistrate Judge Lynch's ruling is not clearly erroneous nor is it contrary to law. See Fed. R. Civ. P. 72; see also Cooper-Houston v. Southern Railway Company, 37 F.3d 603 (11<sup>th</sup> Cir. 1994). Accordingly, it is

**ORDERED AND ADJUDGED** that United States Magistrate Judge Lynch's August 15, 2000 Order is hereby RATIFIED, AFFIRMED and APPROVED, and based thereon, Plaintiff's Appeal is DENIED. Therefore it is,

**ORDERED AND ADJUDGED** that Plaintiff's Motion to Rescind Order on Defendants' Renewed Motion for Preliminary Injunction is DENIED.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 1<sup>st</sup> day of November 2000.

  
DONALD L. GRAHAM  
UNITED STATES DISTRICT JUDGE

cc: Magistrate Judge Lynch  
Marcellus M. Mason, Jr.  
Maria N. Sorolis