

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

RONALD E. GILLETTE,

Plaintiff,

v.

**DIANE PROSPER, Warden of the Golden
Grove Adult Correctional Facility, in her
individual and official capacities; JULIUS
WILSON, Director of the Virgin Islands
Bureau of Corrections, in his individual and
official capacities; and TERRITORY OF
THE VIRGIN ISLANDS, and ERIC HOLDER,
in his individual capacity and in his official
capacity as the Attorney General of the United
States of America,**

Defendants.

Civil Action No. 2014-0110

Appearances:

Joseph A. DiRuzzo, III, Esq.,
Fort Lauderdale, FL
For Plaintiff

Shari N. D'Andrade, Esq.,
St. Thomas, U.S.V.I.
For Defendants

ORDER

UPON CONSIDERATION of the Report and Recommendation ("R&R") issued by Magistrate Judge George W. Cannon, Jr. (Dkt. No. 61), wherein the Magistrate Judge recommends that this Court grant Defendants' Motion for Judgment on the Pleadings (Dkt. No. 27) and deny as moot Plaintiff's Motion for Preliminary Injunction (Dkt. No. 14), Plaintiff's Motion to File an Over-Length Brief (Dkt. No. 15), Plaintiff's Motion to Strike Affirmative Defenses (Dkt. No. 23),

and Plaintiff's Motions to Take Judicial Notice (Dkt. Nos. 20; 40; 48); and for the reasons set forth in the accompanying Memorandum Opinion filed contemporaneously herewith; it is hereby

ORDERED that Magistrate Judge Cannon's Report and Recommendation (Dkt. No. 61) is **ACCEPTED AS MODIFIED**, in the Memorandum Opinion; and it is further

ORDERED that Defendants' Motion for Judgment on the Pleadings (Dkt. No. 27) is **GRANTED**; and it is further

ORDERED that Plaintiff's Motion for Preliminary Injunction (Dkt. No. 14) is **DENIED AS MOOT**; and it is further

ORDERED that Plaintiff's Motion to File an Over-Length Brief (Dkt. No. 15) is **DENIED AS MOOT**; and it is further

ORDERED that Plaintiff's Motions to Take Judicial Notice (Dkt. Nos. 20; 40; 48) are **DENIED AS MOOT**; and it is further

ORDERED that Plaintiff's Motion to Strike Affirmative Defenses (Dkt. No. 23) is **DENIED AS MOOT**.

SO ORDERED.

Date: September 2, 2020

_____/s/_____
WILMA A. LEWIS
Chief Judge