

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Ft. Pierce Division

Case Number: 13-14481-CIV-MARTINEZ-LYNCH

PRISON LEGAL NEWS, a project of the
HUMAN RIGHTS DEFENSE CENTER, a not-
for-profit, Washington charitable corporation,

Plaintiff,

vs.

KENNETH J. MASCARA, in his official capacity
as Sheriff of St. Lucie County, Florida,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE LYNCH'S REPORT AND
RECOMMENDATION**

THE MATTER was referred to the Honorable Frank J. Lynch, Jr., United States Magistrate Judge, for a Report and Recommendation on Plaintiff's Motion for Preliminary Injunction (D.E. No. 4). Magistrate Judge Lynch filed a Report and Recommendation (D.E. No. 23), recommending that (a) Plaintiff's Motion for Preliminary Injunction be granted in part only insofar as the amended policy instituted by the Defendant during the pendency of this litigation shall remain in full force and effect during this litigation and that all correspondence including books, periodicals, magazines, and correspondence by envelope which is considered privileged mail between the Plaintiff and inmates shall be considered an exception to the postcard only policy; and (b) Plaintiff's Motion for Preliminary Injunction be denied in all other respects. The Court has reviewed the entire file and record and has made a *de novo* review of the issues that the objections to the Magistrate Judge's Report and Recommendation present. After careful

consideration, the Court affirms and adopts the Report and Recommendation. Accordingly, it is hereby:

ADJUDGED that United States Magistrate Judge Lynch's Report and Recommendation (D.E. No. 23) is **AFFIRMED** and **ADOPTED**. Accordingly, it is:

ADJUDGED that

Plaintiff's Motion for Preliminary Injunction (D.E. No. 4) is **GRANTED in part** only insofar as the amended policy instituted by the Defendant during the pendency of this litigation shall remain in full force and effect during this litigation and that all correspondence including books, periodicals, magazines, and correspondence by envelope which is considered privileged mail between the Plaintiff and inmates shall be considered an exception to the postcard only policy. The motion is denied in all other respects.

DONE AND ORDERED in Chambers at Miami, Florida, this 8 day of September, 2014.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
Magistrate Judge Lynch
All Counsel of Record