

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

SHIRLEY J. DAY, Co-Personal  
Representatives of the Estate of Dawn  
Renee Cameron and KAITLYNN R.  
MORRIS, Co-Personal Representatives  
of the Estate of Dawn Renee Cameron,

Plaintiffs,

v.

Case No. 5:17-cv-153-Oc-32PRL

JACOB CHENOWETH,

Defendant.

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**ORDER**

This case is about the death of Dawn Renee Cameron on November 16, 2014. Ms. Cameron was shot and killed by Citrus County Sheriff's Deputy Jacob Chenoweth. Her estate has sued Deputy Chenoweth under 42 U.S.C. § 1983. Deputy Chenoweth moved for summary judgment. (Doc. 45).

On June 22, 2018, the assigned United States Magistrate Judge issued a Report and Recommendation (Doc. 60) recommending that the Court grant the motion for summary judgment. On July 6, 2018, Plaintiffs filed Objections to the Report and Recommendation (Doc. 61), and Defendant filed a response to the Objections on July 20, 2018 (Doc. 62).

The undersigned has undertaken a complete de novo review of the motion for summary judgment. I have read the depositions, reviewed the documentary evidence,

and considered the relevant law. Following that review, I agree with the Magistrate Judge's application of the law to the undisputed facts. In particular, I concur with the Magistrate Judge that the Eleventh Circuit's decision in Turk v. Bergman, 685 F. App'x 785 (11th Cir. 2017), heavily relied on by Plaintiffs, is distinguishable from this case. The Court therefore agrees with the Magistrate Judge that no reasonable juror could find Deputy Chenoweth liable for the shooting and that "with all the facts viewed in a light most favorable to Plaintiffs, Deputy Chenoweth's use of force was objectively reasonable . . . ." (Doc. 60 at 11).

It is hereby **ORDERED**:

1. Plaintiffs' Objections to the Magistrate Judge's Report and Recommendation (Doc. 61) are **OVERRULED**.

2. The Report and Recommendation of the Magistrate Judge (Doc. 60) is **ADOPTED** as the opinion of the Court. A copy of the Report and Recommendation is attached to the Order.

3. The Motion for Summary Judgment of the Defendant Deputy Jacob Chenoweth (Doc. 45) is **GRANTED**.

4. The Clerk shall enter judgment in favor of Defendant Jacob Chenoweth and against Plaintiffs Shirley J. Day and Kaitlynn R. Morris, as Co-Personal Representatives on behalf of the Estate of Dawn Renee Cameron.

5. Once judgment has been entered, the Clerk shall close the file.

**DONE AND ORDERED** in Jacksonville, Florida the 21st day of August, 2018.



TIMOTHY J. CORRIGAN  
United States District Judge

sj

Attachment: Report and Recommendation

Copies to:

Honorable Philip R. Lammens  
United States Magistrate Judge

Counsel of record