

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ZAKEE LLOYD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C. A. No.: 24-1299-JLH-EGT
	)	
MATTHEW T. MUCHA, MERSEY	)	
MPOCK, DAVID EYONG MPOCK and	)	
ADRIAN GARCIA,	)	
	)	
Defendants.	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

At Wilmington, this 29th day of October 2025:

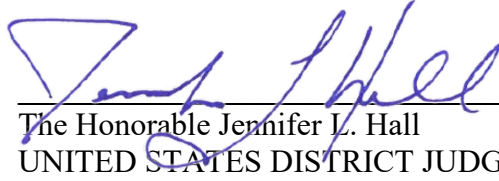
WHEREAS, on October 9, 2025, Magistrate Judge Tennyson issued a Report and Recommendation (D.I. 13) in this action, which recommended that the Court grant-in-part and deny-in-part Defendants' Partial Motion to Dismiss the Amended Complaint (D.I. 7) for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6); and

WHEREAS, no party filed objections to the Report and Recommendation pursuant to 72(b)(2) of the Federal Rules of Civil Procedure in the prescribed period, and the Court finding no clear error on the face of the record,

THEREFORE, IT IS HEREBY ORDERED that the Report and Recommendation (D.I. 13) is ADOPTED. Defendants' Partial Motion to Dismiss the Amended Complaint (D.I. 7) is GRANTED-IN-PART and DENIED-IN-PART, as follows:

1. Plaintiff's claim under 42 U.S.C. § 1983 for violation of his Fourth Amendment rights (Count I) is DISMISSED.
2. Plaintiff's assault and battery claims (Count III) based on a theory of illegal detention and arrest are DISMISSED.

3. Plaintiff's assault and battery claims (Count III) against M. Mpock and D. Mpock may proceed.
4. Plaintiff's assault claim against Garcia (Count III) as it relates to the February 2024 incident is DISMISSED. Plaintiff's battery claim against Garcia (Count III) as it relates to the February 2024 incident may proceed.



The Honorable Jennifer L. Hall
UNITED STATES DISTRICT JUDGE