

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DAVON L. ELLIS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:17-cv-01726-AKK-JHE
)	
SGT. L. AARON, et al.,)	
)	
Defendants.)	

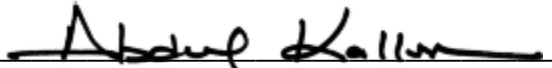
MEMORANDUM OPINION AND ORDER

The magistrate judge filed a report on August 24, 2018, recommending that the defendants' special report be treated as a motion for summary judgment and further recommending that the motion be granted in part and denied in part. Doc. 32. Although the parties were advised of their right to file specific written objections within fourteen days, no objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge's report is hereby **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, the court **ORDERS** that the defendants' motion for summary judgment, doc. 25, is **GRANTED** as to the claims against the defendants in their official capacities, and **DENIED** as to the claims against the defendants in their individual capacities. The plaintiff's claims for injunctive relief are **DISMISSED**. The remaining claims, for

excessive force against the defendants in their individual capacities, are **REFERRED** to the magistrate judge for further proceedings.

DONE the 1st day of October, 2018.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE