

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

RODERICK DELAUNE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:18-cv-01190-LCB-SGC
)	
DR. ROTH,)	
)	
Defendant.)	

MEMORANDUM OPINION

The magistrate judge entered a report on November 21, 2018, recommending the federal claims in this action be dismissed without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), for failing to state a claim upon which relief can be granted. (Doc. 10). The magistrate judge further recommended that any state law claims asserted in the complaint, including claims for negligence or malpractice, be dismissed without prejudice, pursuant to 28 U.S.C. § 1367(c). (*Id.*). Although the magistrate judge advised the plaintiff of his right to file specific written objections within fourteen (14) days, no objections have been received by the court.

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 **ADOPTED**, and the recommendation is **ACCEPTED**. Therefore, in

accordance with 28 U.S.C. § 1915A(b)(1), the plaintiff's federal claims are due to be dismissed without prejudice for failing to state a claim upon which relief can be granted. Additionally, any state law claims asserted in the complaint, including claims for negligence and malpractice, are due to be dismissed without prejudice pursuant to 28 U.S.C. § 1367(c)(3).

A Final Judgment will be entered.

DONE and **ORDERED** December 19, 2018.

A handwritten signature in black ink, appearing to read 'L.C. Burke', is written above a horizontal line.

LILES C. BURKE
UNITED STATES DISTRICT JUDGE