

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PAUL VINCENT LOCKETT,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:09cv36-TMH
)	
JEREMIAH MATTHEWS, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION and ORDER

On October 7, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 31). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED as follows that:

1. The Recommendation be and is hereby ADOPTED;
2. The defendants’ motion for summary judgment with respect to the claims against the defendants in their official capacities be and is hereby GRANTED.
3. The motion for summary judgment with respect to the claims against Commissioner Allen, Warden Giles, Captain Taylor and Officer Jackson be and is hereby GRANTED and Commissioner Allen, Warden Giles, Captain Taylor and Officer Jackson be and are hereby DISMISSED as defendants in this case.
4. The motion for summary judgment with respect to the plaintiff’s excessive force claims against Counselor Matthews in his individual capacity be and is hereby DENIED.

Done this the 31st day of October 2011.

/s/ Truman M. Hobbs

TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE