

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

TIMOTHY PRICE,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	2:12cv567-MHT
	)	(WO)
SGT. C. SMITH,	)	
	)	
Defendant.	)	

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff Timothy Price, a state inmate, filed this lawsuit against defendant Sgt. C. Smith, a correctional officer, alleging that Smith used excessive force against him when he hit without provocation. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge, after an evidentiary hearing on the merits, that judgment should be entered in favor of Smith. There are no objections to the recommendation. After an independent and de novo

review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 9th day of June, 2015.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE