

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

| | | |
|--------------------------|---|------------------|
| FREDRICK BERNARD MOSLEY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | CIVIL ACTION NO. |
| v. |) | 2:13cv450-MHT |
| |) | (WO) |
| DOMINIC JONES, et al., |) | |
| |) | |
| Defendants. |) | |

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state prisoner, filed this lawsuit claiming that he was assaulted by officers at Easterling Correctional Facility, that several officers failed to protect him from the assault, that he was denied due process in a disciplinary proceeding and a classification decision, that he was housed in improperly hot and unsanitary conditions, and that there was a conspiracy to cover up the assault. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that defendants' motion for summary judgment be denied as to the claims of excessive force and failure

to protect and granted as to plaintiff's other claims. Also before the court are plaintiff's objections to the recommendation. After an independent and de novo review of the record, the court concludes that plaintiff's objections should be overruled and the magistrate judge's recommendation adopted.

An appropriate judgment will be entered.

DONE, this the 28th day of September, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE