

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

AAREN MATTHEWS,)
)
 Plaintiff,)
)
 v.)
)
 ALABAMA DEPARTMENT of)
 CORRECTIONS and KILBY)
 CORRECTIONAL FACILITY,)
)
 Defendants.)

CIVIL ACTION NO.
2:16cv740-MHT
(WO)

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state prisoner, filed this lawsuit complaining about being denied a mattress for one night. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's claims be dismissed without prejudice. 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 December, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE