

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

LEONARD SHACK,)
)
 Plaintiff,)
)
 v.)
)
 OFFICER FITZPATRICK and)
 LT. WITNEY, Supervisor,)
)
 Defendants.)

CIVIL ACTION NO.
2:19cv402-MHT
(WO)

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state prisoner, filed this lawsuit complaining that correctional officers failed to protect him from assault by another prisoner and that he has not received necessary treatment for a serious eye injury he received during that attack. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's case be dismissed without prejudice for failure to prosecute. 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 24th day of April, 2020.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE