

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

CHRISTOPHER DeSHAWN )  
MONTAGUE, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
OFFICER J. MITCHELL and )  
OFFICER J. McCLAIN )  
(individually and in their )  
official capacities), )  
 )  
Defendants. )

CIVIL ACTION NO.  
2:18cv896-MHT  
(WO)

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state prisoner, filed this lawsuit complaining that the defendant correctional officers used excessive force against him, including by repeatedly punching and kicking him. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's case 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 8th day of April, 2019.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE