

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

|                       |   |                  |
|-----------------------|---|------------------|
| MARCUS W. STACEY,     | ) |                  |
|                       | ) |                  |
| Plaintiff,            | ) |                  |
|                       | ) | CIVIL ACTION NO. |
| v.                    | ) | 2:19cv370-MHT    |
|                       | ) | (WO)             |
| LT. FOUNTAIN, et al., | ) |                  |
|                       | ) |                  |
| Defendants.           | ) |                  |

OPINION AND ORDER

Pursuant to 42 U.S.C. § 1983, plaintiff, a state prisoner, filed this lawsuit complaining that defendants violated his rights by first failing to protect him from a severe assault after he warned them he was in danger, and then denying him medical care for seven days for the resulting broken leg, resulting in permanent disability. This lawsuit is before the court on the recommendation of the United States Magistrate Judge that the case be transferred to the United States District Court for the Southern District of Alabama pursuant to 28 U.S.C. § 1406(a). 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.

\*\*\*

Accordingly, it is ORDERED as follows:

(1) The magistrate judge's recommendation (doc. no. 3) is adopted.

(2) This case is transferred to the United States District Court for the Southern District of Alabama pursuant to 28 U.S.C. § 1406(a).

The clerk of the court is DIRECTED to take appropriate steps to effect the transfer.

This case is closed in this court.

DONE, this the 15th day of July, 2019.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE