

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

JOHNATHAN BURKE, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 JARMAL SEWELL, )  
 Correctional Officer, )  
 Individual Capacity, )  
 )  
 Defendant. )

CIVIL ACTION NO.  
2:19cv917-MHT  
(WO)

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state prisoner, filed this lawsuit asserting that the defendant correctional officer maced and beat him maliciously and without adequate justification. 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 18th day of October, 2022.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE