

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

MICHAEL WAYNE WADDLE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:15-cv-01451-WMA-JEO
)	
GOVERNOR ROBERT BENTLEY,)	
et al.,)	
)	
Defendants.)	

ORDER

The magistrate judge filed a report and recommendation on March 23, 2016, recommending that the plaintiff's Eighth Amendment conditions of confinement claims against defendant Bentley be dismissed for failure to state a claim upon which relief may be granted. (Doc. 7). The magistrate judge further recommended that the plaintiff's Eighth Amendment conditions of confinement claims against defendants Dunn and Headley be referred to the magistrate judge for further proceedings. (*Id.*) The plaintiff has not filed any objections.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the magistrate

judge's recommendation is **ACCEPTED**. It is therefore **ORDERED** that the plaintiff's Eighth Amendment conditions of confinement claims against defendant Bentley are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A(b)(1). It is further **ORDERED** that the plaintiff's Eighth Amendment conditions of confinement claims against defendants Dunn and Headley are **REFERRED** to the magistrate judge for further proceedings.

DONE this 14th day of April, 2016.



WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE