

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

<b>GERRY BRANNON WALKER,</b>	}	
	}	
<b>Plaintiff,</b>	}	
	}	
<b>v.</b>	}	<b>Case No.: 1:16-cv-01054-RDP-HGD</b>
	}	
<b>JASON MURRAY, et al.,</b>	}	
	}	
<b>Defendants.</b>	}	

**MEMORANDUM OPINION**

This case is before the court on the Magistrate Judge’s Report and Recommendation. (Doc. # 10). On January 23, 2017, the Magistrate Judge’s Report and Recommendation (Doc. # 10) was entered, and Plaintiff was allowed therein fourteen (14) days in which to file objections to the recommendations made by the Magistrate Judge. No objections were filed, despite the court’s grant of additional time to Plaintiff for filing objections. (See Doc. # 12 (allowing Plaintiff to file objections on or before February 27, 2017)).


After careful consideration of the record in this case and the Magistrate Judge’s Report and Recommendation, the court hereby **ADOPTS** the Report of the Magistrate Judge.<sup>1</sup> The court further **ACCEPTS** the recommendation of the Magistrate Judge that this action be dismissed without prejudice for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1).

A separate order in accordance with the Memorandum Opinion will be entered.

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<sup>1</sup> The court recognizes that the heightened pleading standard formerly applied by the Eleventh Circuit to 42 U.S.C. § 1983 cases where a defendant could assert qualified immunity no longer applies after *Ashcroft v. Iqbal*, 556 U.S. 662 (2009). *Randall v. Scott*, 610 F.3d 701, 709-10 (11th Cir. 2010). The court has reviewed Plaintiff’s allegations under the *Iqbal* opinion’s pleading standard.

**DONE** and **ORDERED** this February 27, 2017.

  
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**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE