

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

WILLIAM HENRY HARRIS, Jr.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:10-cv-01333-IPJ-PWG
)	
OFFICER HAYWOOD,)	
)	
Defendant.)	

MEMORANDUM OF OPINION AND ORDER

The magistrate judge filed a report May 16, 2012, recommending that the defendant’s special report be treated as a motion for summary judgment and, as such, that it be DENIED. Although the parties were advised of their right to file specific written objections within fifteen days, there has been no response to the report and recommendation.

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 hereby is ADOPTED and his recommendation is ACCEPTED. Accordingly, it is **ORDERED** that the defendant’s motion for summary judgment is **DENIED**. This matter is REFERRED to the magistrate judge for further proceedings.

DONE this the 11th day of June 2012.



INGE PRYTZ JOHNSON
U.S. DISTRICT JUDGE