

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


<b>DERRICK AVERHART,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 2:11-CV-02567-VEH-JEO</b>
	)	
<b>CORRECTIONAL OFFICER</b>	)	
<b>ANTWAN KENDRICK,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM OPINION AND ORDER**

This matter comes before the court on the objections (doc. 45) filed on January 10, 2014, to the Magistrate Judge’s Report and Recommendation (doc. 40). The court, having considered the findings and recommendation, and having reviewed the entire file, concludes that the magistrate judge’s findings and recommendation are correct. Accordingly, the findings and recommendation are **ADOPTED** as the opinion of the court. All claims of the Plaintiff are hereby **DISMISSED WITH PREJUDICE**.

See attached Notice regarding appeal rights.

**DONE and ORDERED** this the 25th day of February, 2014.


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**VIRGINIA EMERSON HOPKINS**  
United States District Judge