

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

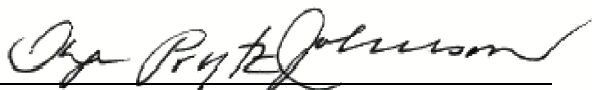
<b>MOSES ROBINSON,</b>	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2:11-CV-03406-IPJ-JEO
	)	
<b>CHERYL PRICE, et al.,</b>	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION**

The magistrate judge filed a report and recommendation on April 4, 2012, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted. (Doc. 9). Specifically, the magistrate judge found that plaintiff has not stated a claim under the Eighth Amendment for failing to protect him against the subject attack because he failed to demonstrate that defendants were deliberately indifferent to a known danger or that there was a strong likelihood of the attack. (*Id.* at 9). The plaintiff filed objections to the report and recommendation on April 18, 2012. (Doc. 10). However, the objections likewise fail to set forth a constitutional violation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted. A Final Judgment will be entered.

DONE this 30<sup>th</sup> day of April, 2012.


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 INGE PRYTZ JOHNSON  
 U.S. DISTRICT JUDGE