

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

CEDRIC ALONZO ROBERTS,

Plaintiff,

v.

**MIDFIELD POLICE DEPARTMENT
and OFFICER T. YEARWOOD,**

Defendant.

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Case No.: 2:12-CV-04114-RDP-TMP

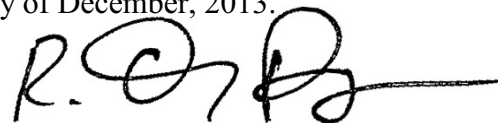
ORDER

On November 8, 2013, the Magistrate Judge’s Report and Recommendation (Doc. # 7) was entered and the parties were allowed fourteen days in which to file objections to the recommendations made by the Magistrate Judge. No objections have been filed by either party.

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. The court further **ACCEPTS** the recommendations of the Magistrate Judge and it is, therefore, **ORDERED, ADJUDGED** and **DECREED** as follows:

1. Plaintiff’s claims against Midfield Police Department are **DISMISSED** for failing to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1).
2. Plaintiff’s Fourth Amendment claim against Officer T. Yearwood is **REFERRED** to the Honorable T. Michael Putnam for further proceedings.

DONE and ORDERED this 4th day of December, 2013.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE