

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

TOMMIE L. MCCALL,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:13-cv-00241-CLS-JHE
)	
SOUTH CENTRAL STEEL,)	
INC, et al.,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on May 4, 2015, 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. 22). The magistrate judge further recommended that, to the extent plaintiff asserted state law negligence claims, those claims did not support an action under § 1983 and noted that plaintiff could pursue those claims in state court. (*Id.*). No objections have been filed by any party.

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 it hereby is, ADOPTED, and the

recommendation is ACCEPTED. Accordingly, this action is due to be DISMISSED WITHOUT PREJUDICE. A Final Judgment will be entered.

DONE this 28th day of July, 2015.

A handwritten signature in black ink, reading "Lynwood Smith". The signature is written in a cursive style with a large initial "L".

United States District Judge