

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

JOSEPH THOMAS,

Plaintiff,

v.

**MARSHALL COUNTY SHERIFF'S
 OFFICE, et al.,**

Defendants.

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Case No. 2:13-CV-00912-RDP-JEO

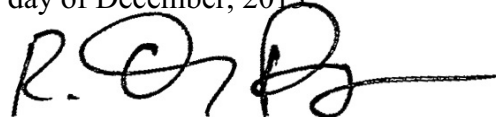
MEMORANDUM OPINION

On November 25, 2013, the Magistrate Judge filed his Report and Recommendation in this matter recommending that this court dismiss Plaintiff's Petition without prejudice for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). (Doc. # 11). Although objections to the Report and Recommendation were due to be filed by December 10, 2013, *see* Fed. R. Civ. P. 72(b), no objections were filed.

Having now carefully reviewed and considered *de novo* all of the materials in the court file,¹ including the Report and Recommendation, the court is of the opinion that the Report is due to be, and hereby is, **ADOPTED**, and the Recommendation is **ACCEPTED**. A separate order will be entered.

¹ The court notes that it was not required to conduct an independent review of the Report and Recommendation in this case because no party has filed objections. Fed. R. Civ. P. 72(b); *Thomas v. Arn*, 474 U.S. 140, 150 (1985) ("It does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings."). Nevertheless, the court has reviewed the Magistrate's Report and agrees with his conclusions.

DONE and ORDERED this 13th day of December, 2013

A handwritten signature in black ink, appearing to read 'R. David Proctor', written over a horizontal line.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE