

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

JESSE LEE BENNETT,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:14-cv-1771-MHH-TMP
)	
STATE OF ALABAMA, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION


The magistrate judge filed a report on December 1, 2015 in which he recommended that the special report of defendants Cunningham and Pope be treated as a motion for summary judgment and that that motion and the motion for summary judgement filed by defendants Arthur and Nevett be granted. (Doc. 24). The magistrate judge advised the parties of their right to file specific written objections to the report and recommendation within fourteen days. The Court has received no objections from Mr. Bennett or the defendants.

When a party does not object to a report and recommendation, the Court reviews the report for clear error. *Macort v. Prem, Inc.*, 208 Fed. Appx. 781, 784 (11th Cir. 2006). The Court “may accept, reject, or modify, in whole or part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

Having reviewed the materials in the court file, including the complaint and the report and recommendation, the Court adopts the magistrate judge's report and accepts his recommendation. The Court expressly finds that there are no genuine issues of material fact, and the defendants are entitled to judgment as a matter of law on the plaintiff's federal claims.

Accordingly, the Court will grant the defendants' motions for summary judgment relating to Mr. Bennett's federal claims. The Court declines to exercise supplemental jurisdiction over Mr. Bennett's state law claim for slander. 28 U.S.C. § 1367 (c)(3) & (d). The Court will dismiss that claim without prejudice. The Court will enter a separate final judgment.

DONE and **ORDERED** this December 29, 2015.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE