

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

REGINALD ANTON ANDERS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:15-cv-00047-WMA-SGC
)	
OFFICER CHRIS JEWELL, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION

On October 20, 2015, the magistrate judge entered a report recommending this action, filed pursuant to 42 U.S.C. § 1983, be dismissed under 28 U.S.C. § 1915A(b)(1) for failing to state a claim upon which relief may be granted. (Doc. 9). The plaintiff's claims rest on allegations that various members of the West Alabama Narcotics Task Force deprived him of cash and personal property without due process. The magistrate judge found the plaintiff failed to state any viable claims and recommended dismissal because there is an adequate post-deprivation remedy available to address the plaintiff's claims. (Doc. 9 at 4-6). The plaintiff filed objections to the report and recommendation on October 27, 2015. (Doc. 10).

In his objections, the plaintiff sets forth the standard applicable to a motion to dismiss and cites case law concerning absolute and qualified immunity. (Doc. 10 at 2-3). However, the objections do not address the magistrate judge's conclusion that the availability of an adequate post-deprivation remedy requires

dismissal of the plaintiff's claims. See *Hudson v. Palmer*, 468 U.S. 517, 532-33 (1984) ("[A]n unauthorized intentional deprivation of property by a state employee does not constitute a violation of the procedural requirements of the Due Process Clause of the Fourteenth Amendment if a meaningful postdeprivation remedy for the loss is available").

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) (1) for failing to state a claim upon which relief may be granted.

A separate order effectuating this opinion will be entered.

DONE this 10th day of November, 2015.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE