

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

KAMILES CREWS-BEY,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:16-cv-01367-VEH-SGC
)	
LIEUTENANT D. JOHNSON, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

The magistrate judge entered a report on May 7, 2018, recommending the defendants' motion for summary judgment be granted in part and denied in part. (Doc. 53). Specifically, the report recommended: (1) summary judgment be denied on the individual capacity claim against Correctional Officer Rodney Smith for failure to protect; and (2) summary judgment be granted as to all other claims. (*Id.*). Although the parties were advised of their right to file specific written objections within fourteen days, no objections have been received by the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge's report is **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, the court **ORDERS** that the defendants' motion for summary judgment is **DENIED** on the individual capacity claim against Correctional Officer Rodney Smith for failure to

protect. Finding no genuine issue of material fact and that the defendants are entitled to judgment as a matter of law as to the other claims, the court **FURTHER ORDERS** that the defendants' motion for summary judgment is **GRANTED** in all other respects.

The Clerk of Court is **DIRECTED** to **TERM** documents 52 and 53. The Clerk is **FURTHER DIRECTED** to provide a copy of this memorandum opinion and order to the plaintiff.

DONE and **ORDERED** this 19th day of June, 2018.



VIRGINIA EMERSON HOPKINS
United States District Judge