

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

VICTOR JOSEPH RUSSO,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:17-cv-01005-KOB-JEO
)	
JEFFERSON S. DUNN, et al.,)	
)	
Defendants.)	

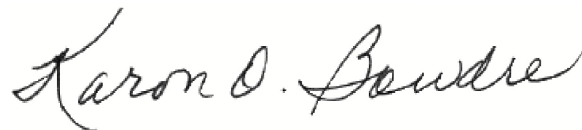
ORDER

The magistrate judge entered a report on November 20, 2017, recommending all claims in this action, except the Eighth Amendment conditions of confinement claims against defendants Dunn, Estes, Specks, Estell, Northcutt, Graham, Malone, Warden (formerly Captain) Peters, and all correctional officers and supervisors assigned to work P2 Dorm on April 20, 2016, be dismissed without prejudice pursuant to 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief can be granted. (Doc. 7 at 42). The magistrate judge further recommended the remaining claims be referred back to the magistrate judge for further proceedings. (*Id.*). Although the magistrate judge advised the plaintiff of his right to file specific written objections and granted him until February 5, 2018, to do so (doc. 11), 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 court ADOPTS the

magistrate judge's report and ACCEPTS his recommendation. The court **ORDERS** that all claims in this action, except the Eighth Amendment conditions of confinement claims against defendants Dunn, Estes, Specks, Estell, Northcutt, Graham, Malone, Warden (formerly Captain) Peters, all correctional officers and supervisors assigned to work P2 Dorm on April 20, 2016, are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A(b). The court further **ORDERS** that the remaining claims are **REFERRED** to the magistrate judge for further proceedings.

DONE and ORDERED this 6th day of March, 2018.



KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE