

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

CEDRIC JONES, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2:19-cv-01486-AMM-JHE
	)	
MOHAMMAD JENKINS, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION AND ORDER**

Plaintiff Cedric Jones, Jr. filed a *pro se* complaint pursuant to 42 U.S.C. § 1983, alleging violations of his rights under the Constitution or laws of the United States. Doc. 1. The magistrate judge entered a report on January 5, 2022, recommending that the court: (1) dismiss with prejudice Jones’ claims against the Alabama Department of Corrections (“ADOC”) based on Eleventh Amendment immunity; (2) grant Defendant Mohammad Jenkins’ motion for summary judgment on Jones’ Eighth Amendment excessive force claim against Jenkins in his official capacity for monetary damages and dismiss the claim with prejudice; and (3) deny Jenkins’ motion for summary judgment on Jones’ Eighth Amendment excessive force claim against Jenkins in his individual capacity. Doc. 27. Although the parties were advised of their right to file specific written objections within fourteen days, the court has not received any objections.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court hereby **ADOPTS** the magistrate judge's report and **ACCEPTS** his recommendation. Accordingly, the court **DISMISSES WITH PREJUDICE** Jones' claims against the ADOC based on Eleventh Amendment immunity. The court **GRANTS** Jenkins' motion for summary judgment on Jones' Eighth Amendment excessive force claim against Jenkins in his official capacity for money damages, the court finding no genuine issues of material fact exist, and **DISMISSES** the claim **WITH PREJUDICE**. The court **DENIES** Jenkins' motion for summary judgment on Jones' Eighth Amendment excessive force claim against Jenkins in his individual capacity and **REFERS** this claim to the magistrate judge for further proceedings.

**DONE** and **ORDERED** this 8th day of February, 2022.



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**ANNA M. MANASCO**  
UNITED STATES DISTRICT JUDGE