

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

GARY LYNN WEEKS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 3:16-cv-1379-MHH-JHE
	)	
TIM RAY, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION**

On January 22, 2018, the magistrate judge filed a report in which he recommended that the Court deny plaintiff Gary Lynn Weeks’s motion for summary judgment and grant the defendants’ motion for summary judgment. (Doc. 45). The magistrate judge advised the parties of their right to object within 14 days. (Doc. 45, pp. 13-14). To date, no party has filed objections to the report and recommendation.


A district 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)(C). A district court reviews legal conclusions in a report de novo and reviews for plain error factual findings to which no objection is made. *Garvey v. Vaughn*, 993 F.2d

776, 779 n.9 (11th Cir. 1993); *see also* *LoConte v. Dugger*, 847 F.2d 745, 749 (11th Cir. 1988); *Macort v. Prem, Inc.*, 208 Fed. Appx. 781, 784 (11th Cir. 2006).<sup>1</sup>

Based on its review of the record in this case, the Court finds no misstatements of law in the report and no plain error in the magistrate judge's description of the relevant facts. Therefore, the Court adopts the magistrate judge's report and accepts his recommendation.

The Court will issue a separate final judgment consistent with this memorandum opinion.

**DONE** and **ORDERED** this February 12, 2018.



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**MADELINE HUGHES HAIKALA**  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> When a party objects to a report, a district court must “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. §§ 636(b)(1)(B)-(C).