

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

ROBERT PEOPLES,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:11-cv-03464-IPJ-JEO
)	
CORIZON HEALTH SERVICES,)	
et al.,)	
)	
Defendants.)	

ORDER

The magistrate judge filed a report and recommendation on August 30, 2013, recommending that defendants' motion for summary judgment be granted as to plaintiff's Eighth Amendment medical care claims against Corizon, Inc., Dr. William Talley, Nurse Colleen Oakes, and Nurse Anissa Thomas and that those claims be dismissed. (Doc. 34.) The magistrate judge further recommended that defendants' motion for summary judgment be denied as to plaintiff's Eighth Amendment excessive force claim against Nurse Anissa Thomas. *Id.*

The parties were allowed fourteen (14) days in which to file written objections to the magistrate judge's recommendations. No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the magistrate judge's recommendation is **ACCEPTED**. The Court **EXPRESSLY FINDS** that there are no genuine issues of material fact with regard to plaintiff's Eighth Amendment medical claims against Corizon, Inc., Dr. William Talley, Nurse Colleen Oakes, and Nurse Anissa Thomas. Defendants' motion for summary judgment is therefore **GRANTED** as to these claims and the claims are **DISMISSED WITH PREJUDICE**. The motion is **DENIED** as to plaintiff's Eighth Amendment excessive force claim against Nurse Anissa Thomas.

Defendant Thomas is hereby **ORDERED** to file an answer within twenty (20) days of the entry date of this order.

This case is referred back to Magistrate Judge John Ott for further pretrial proceedings.

DONE and **ORDERED** this the 24th day of September, 2013.



INGE PRYTZ JOHNSON
SENIOR U.S. DISTRICT JUDGE