

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

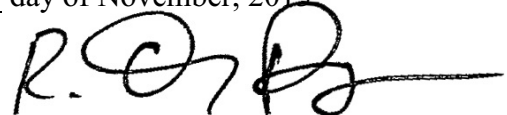
<b>PHILLIP RANDOLPH COX,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 4:12-cv-02087-RDP-PWG</b>
	)	
<b>GOVERNOR ROBERT BENTLEY, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM OF OPINION AND ORDER**

The Magistrate Judge filed a Report and Recommendation on October 23, 2013, recommending that Defendants' Special Report be treated as a motion for summary judgment and, as such, that it be denied. Although the parties were advised of their right to file specific written objections within fourteen days, there has been no response to the Report and Recommendation.

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 hereby is **ADOPTED** and his Recommendation is **ACCEPTED**. Accordingly, it is **ORDERED** that Defendants' motion for summary judgment is **DENIED**. This matter is **REFERRED** to the Magistrate Judge for further proceedings.

**DONE and ORDERED** this 13th day of November, 2013



**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE