

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

<p>MUHAMMAD AL-AMEEN,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p>v.</p> <p>DOCTOR DAVID PAVLAKOVIC,</p> <p style="padding-left: 40px;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No. 4:12-cv-3623-RDP-JEO</p>
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MEMORANDUM OF OPINION

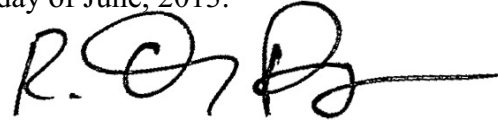
The Magistrate Judge filed a Report and Recommendation on May 13, 2013, recommending that Defendant's Motion for Summary Judgment be granted and this cause be dismissed with prejudice. (Doc. #18). Plaintiff filed an objection in which he states that he is not claiming that he was denied adequate medical care; rather, his claim is that Defendant discontinued his medication without even examining him. (Doc. #19). He also filed a "notice," asserting that on May 28, 2013, his medication was again reduced without an examination. (Doc. #20).

The evidence before the court demonstrates that Dr. Pavlakovic changed Plaintiff's medication from a narcotic to a non-narcotic pain reliever. A difference of opinion between Plaintiff and Dr. Pavlakovic as to the appropriate medication to be prescribed does not rise to the level of a constitutional violation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the Report and Recommendation and the objection and notice filed by Plaintiff, the court is of the opinion that the Magistrate Judge's Report is due to be and is hereby **ADOPTED** and his Recommendation is **ACCEPTED**. The court **EXPRESSLY FINDS** that there are no genuine issues of material fact and that Defendant is entitled to judgment as a matter of law. Accordingly,

Defendant's Motion for Summary Judgment is due to be granted and this action is due to be dismissed with prejudice. A Final Judgment will be entered.

DONE and **ORDERED** this 3rd day of June, 2013.

A handwritten signature in black ink, appearing to read "R. David Proctor", written over a horizontal line.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE