

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

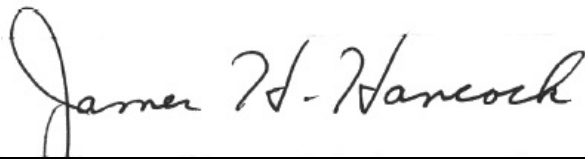
JERRY DALE BENNETT,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:13-cv-00399-JHH-SGC
	)	
RONALD W. SMITH and	)	
JOHN GRAHAM,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION**

The magistrate judge filed a report and recommendation on March 28, 2014, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted. (Doc. 27.) No objections were filed by plaintiff.

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 recommendation is **ACCEPTED**. Accordingly, the complaint is due to be dismissed with prejudice pursuant to 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted. A Final Judgment will be entered.

**DONE** this 24th day of April, 2014.

  
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 SENIOR UNITED STATES DISTRICT JUDGE