

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

RICHARDO S. EASON,)	
)	
Plaintiff,)	
)	
vs.)	Case No.: 4:13-cv-00576-VEH-SGC
)	
WARDEN III CARTER DAVENPORT,)	
<i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On April 23, 2014, the magistrate judge filed a Report and Recommendation, recommending Plaintiff's supervisory liability claims against Defendants Davenport, Headley, Richie, Malone, Gray, and Cook be dismissed for failing to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1). (Doc. 7.) The magistrate judge further recommended Plaintiff's Eighth Amendment excessive force claims against Defendants Howard, Knight, and Cleveland be referred to the magistrate judge for further proceedings. (*Id.*) The deadline for filing objections was May 8, 2014. No objections have been filed.

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**. It is therefore **ORDERED, ADJUDGED,** and **DECREED** that all of Plaintiff's claims in this action, except his Eighth Amendment excessive force claims, are **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1) for failing to state a claim upon which relief may be granted. It is further **ORDERED** that Plaintiff's Eighth Amendment excessive force claims against Defendants Howard, Knight, and Cleveland are **REFERRED** to the magistrate judge for further proceedings.

DONE this 19th day of May, 2014.



VIRGINIA EMERSON HOPKINS
United States District Judge