

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

SAMMY EDWARDS SIMPSON, II,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 4:13-CV-1450-SGC
)	
STATE OF ALABAMA)	
DEPARTMENT OF HUMAN)	
RESOURCES, et al.,)	
)	
Defendants.)	
)	

ORDER ADOPTING REPORT AND RECOMMENDATION IN PART

On January 15, 2016, the magistrate judge's report and recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. No objections have been filed by either the plaintiff or the defendants. However, the plaintiff has filed an Amended Complaint since the magistrate judge submitted her report and recommendation; the defendants have moved to dismiss it.

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby **ADOPTS IN PART** the report of the magistrate judge. The court further **ACCEPTS IN PART** the

recommendations of the magistrate judge, and it is, therefore,

DONE and **ORDERED, ADJUDGED** and **DECREED** that:

1. Simpson's motion to recuse Judge Cornelius (doc. 18) is **DENIED**.
2. The Motion to Dismiss (Doc. 7) is termed as **MOOT** in light of the Amended Complaint (doc. 21) and Motion to Dismiss the Amended Complaint (doc. 23).
3. This matter is **REFERRED** back to the magistrate judge for further action regarding the pending Motion to Dismiss the Amended Complaint.

DONE this the 2nd day of March, 2016.



VIRGINIA EMERSON HOPKINS

United States District Judge