

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

MICHAEL MAYS,)	
)	
Plaintiff)	
)	
vs.)	Case No. 4:14-cv-00808-LSC-HGD
)	
LIEUTENANT SCOTT, et al.,)	
)	
Defendants)	

MEMORANDUM OPINION AND ORDER

The magistrate judge filed a report and recommendation on December 27, 2016, recommending the defendants’ motion for summary judgment be granted in part and denied in part. (Doc. 42). Although the parties were advised of their right to file specific written objections within fourteen (14) days, no objections have been received by the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge’s report is hereby **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, the court **ORDERS** the following:

1. That defendants Scott, Shoebridge, and Jackson's motion for summary judgment on the plaintiff's Eighth Amendment failure to intervene claims is **DENIED**;
2. That defendants Scott, Shoebridge, and Jackson's motion for summary judgment on the plaintiff's Eighth Amendment failure to intervene claims on the basis of qualified immunity is **DENIED**;
3. That defendant McLemore's motion for summary judgment on the plaintiff's Eighth Amendment medical delay claim is **GRANTED**, the court finding no genuine issues of material fact exists; and
- 4.. That the plaintiff's requests for injunctive relief are **DENIED**.

This matter is REFERRED to the magistrate judge for further proceedings.

Done this 21st day of February 2017.



L. Scott Coogler
United States District Judge
[160704]