

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

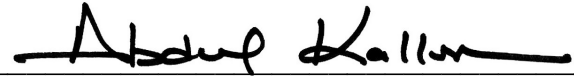
<b>TERRY EUGENE CHITWOOD,</b>	)	
	)	
<b>Plaintiff ,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 5:12-cv-00550-AKK</b>
	)	
<b>KIM THOMAS, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM OF OPINION**

The magistrate judge filed a report and recommendation on September 17, 2012, 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. No objections were 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 recommendation is **ACCEPTED**. Accordingly, the complaint is due to be dismissed 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 the 30th day of October, 2012.

A handwritten signature in black ink, appearing to read "Abdul Kallon", written over a horizontal line.

**ABDUL K. KALLON**  
UNITED STATES DISTRICT JUDGE