

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

C.S.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 5:14-cv-01022-AKK-JEO
	)	
KIM THOMAS, et al.,	)	
	)	
Defendants.	)	

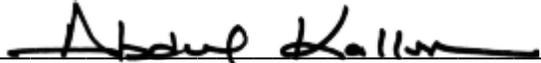
**MEMORANDUM OPINION**

The magistrate judge filed a report on April 8, 2016, recommending that: (1) the plaintiff’s ADA and Rehabilitation Act claims against the ADOC and defendant Estes for monetary damages be dismissed without prejudice pursuant to 42 U.S.C. § 1997e(e); (2) the plaintiff claims for declaratory and injunctive relief under the ADA and the Rehabilitation Act be dismissed without prejudice; (3) defendant Estes’s motion for summary judgment on the plaintiff’s Eighth Amendment conditions of confinement claims be granted and the claims be dismissed with prejudice; and (4) defendant Estes’s motion for summary judgment on the plaintiff’s Ninth and Thirteenth Amendment claims be granted and the claims be dismissed with prejudice. Doc. 20 at 16-17. The magistrate judge advised the plaintiff of his right to file specific written objections within fourteen (14) days. *Id.* at 17-18. To date, 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**. The plaintiff's ADA and Rehabilitation Act claims against the ADOC and defendant Estes for monetary damages are due to be dismissed without prejudice pursuant to 42 U.S.C. § 1997e(e); the plaintiff's claims for declaratory and injunctive relief under the ADA and the Rehabilitation Act are due to be dismissed without prejudice; defendant Estes's motion for summary judgment on the plaintiff's Eighth Amendment conditions of confinement claims is due to be granted and the claims are due to be dismissed with prejudice; and defendant Estes's motion for summary judgment on the plaintiff's Ninth and Thirteenth Amendment claims is due to be granted and the claims are due to be dismissed with prejudice.

A Final Judgment will be entered.

**DONE** the 3rd day of May, 2016.

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