

**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.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE