

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

RHONDA GAIL MOORE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 5:15-cv-00802-MHH-JEO
)	
QUALITY CORRECTIONS)	
HELATH CARE, et al.,)	
)	
Defendants.)	

ORDER

The magistrate judge filed a report and recommendation on February 8, 2016, recommending that the plaintiff’s Fourteenth Amendment medical claims against Tuscumbia City Jail, Colbert County Jail, Quality Correctional Health Care, Inc., and individual defendants Holiday, Wear, Logan, and Kurn be dismissed without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted. (Doc. 9). The magistrate judge also recommended that the plaintiff’s Fourteenth Amendment medical claims against Nurse Doris be referred to the magistrate judge for additional proceedings. (*Id.*). The plaintiff has not filed objections to the report and recommendation.¹

¹ On April 13, 2016, the plaintiff filed a motion for extension of time to file objections to the magistrate judge’s report and recommendation. (Doc. 10). On April 22, 2016, the magistrate judge granted the plaintiff’s motion for an extension of time and ordered her to file objections within fourteen (14) days of the date of the order. (Doc. 11). On May 4, 2016, the plaintiff filed

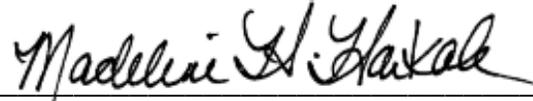
A district court “may accept, reject, or modify, in whole or part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). A district court reviews legal conclusions in a report *de novo* and reviews for plain error factual findings to which no objection is made. *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993); *see also LoConte v. Dugger*, 847 F.2d 745, 749 (11th Cir. 1988); *Macort v. Prem, Inc.*, 208 Fed. Appx. 781, 784 (11th Cir. 2006).²

Having reviewed the complaint and the the report and recommendation, the Court adopts the magistrate judge’s report and accepts the magistrate judge’s recommendation. Therefore, the Court dismisses without prejudice all of the plaintiff’s claims in this action, with the exception of her Fourteenth Amendment medical claims against Nurse Doris. The Court refers the plaintiff’s Fourteenth Amendment medical claims against Nurse Doris to Chief Magistrate Judge Ott for further proceedings.

a second motion for an extension of time to file objections. (Doc. 12). The plaintiff stated that she did not receive “a copy of said Document 10” and could not submit her objections until she received of copy of the document. (*Id.*). On May 9, 2016, the magistrate judge advised the plaintiff that document 10 was her motion for extension of time to file objections to the report and recommendation, filed on April 13, 2016. (Doc. 13). The magistrate judge ordered the plaintiff to file objections within ten days. (Doc. 13 at 1-2). The plaintiff failed to file objections.

² When a party objects to a report in which a magistrate judge recommends dismissal of the action, a district court must “make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. §§ 636(b)(1)(B)-(C).

DONE and **ORDERED** this August 1, 2016.

A handwritten signature in black ink, reading "Madeline H. Haikala". The signature is written in a cursive style with a horizontal line extending from the end of the name.

MADLINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE