

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

**KENNETH KAYLON SHELNUTT,** }

**Plaintiff,** }

**v.** }

**SHERIFF MIKE BLAKELY, et al.,** }

**Defendants.** }

**Case No. 5:15-cv-01546-VEH-JEO**

**MEMORANDUM OF OPINION**

The magistrate judge filed a report on February 5, 2016, recommending that this action be dismissed without prejudice for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). Although the plaintiff was advised of his right to file specific written objections within fourteen days, he has failed to respond to the report and recommendation.

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 hereby is **ADOPTED** and the recommendation is **ACCEPTED**. Therefore, in accordance with 28 U.S.C. § 1915A(b)(1), this action is due to be dismissed without prejudice for failing to state a claim upon which relief can be granted. A Final Judgment will be entered contemporaneously herewith.

**DONE** and **ORDERED** this the 1<sup>st</sup> day of March, 2016.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins". The signature is fluid and cursive, with a long horizontal stroke at the end.

**VIRGINIA EMERSON HOPKINS**

United States District Judge