

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

JIMMY LEE WATKINS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 5:16-cv-00681-AKK-SGC
)	
MORGAN COUNTY)	
COMMISSIONER, et al.,)	
)	
Defendants.)	

ORDER

On August 22, 2017, the magistrate judge entered a report recommending the following claims be dismissed without prejudice for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1): (1) the plaintiff’s claims against the Morgan County Commission and its members; (2) the plaintiff’s Eighth Amendment failure to protect claim against Sheriff Ana Franklin; and (3) the plaintiff’s Eighth Amendment medical claims against defendants Ozbolt, Corriko, McVay, Allen, Driggers, and unknown officers based on their failure to provide grievance forms to the plaintiff. Doc. 22. The magistrate judge further recommended the following claims be referred back to the magistrate judge for further proceedings: (1) the plaintiff’s Eighth Amendment failure to protect claims against defendant Ozbolt and unknown officers; (2) the plaintiff’s Eighth Amendment claims for denial of medical treatment against defendants Ozbolt,

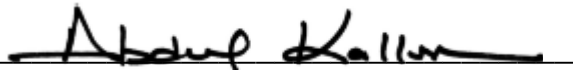
Corriko, McVay, Allen, Driggers, and unknown officers; and (3) the plaintiff's retaliation claim against defendant Ozbolt. *Id.* The magistrate judge advised the plaintiff of his right to file specific written objections within fourteen days. *Id.* at 16.

On September 8, 2017, the plaintiff moved for an extension of time to file objections to the Report and Recommendation. Doc. 23. On September 19, 2017, the magistrate judge granted the plaintiff's motion for an extension of time and ordered him to file any objections within fourteen days from the entry date of the order. Doc. 25. The deadline has passed, and the plaintiff has not filed objections.

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 **ADOPTED** and the recommendation is **ACCEPTED**. The court **ORDERS** that the following claims are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A(b)(1), for failing to state a claim upon which relief may be granted: (1) the plaintiff's claims against the Morgan County Commission and its members; (2) the plaintiff's Eighth Amendment failure to protect claim against Sheriff Ana Franklin; and (3) the plaintiff's Eighth Amendment medical claims against defendants Ozbolt, Corriko, McVay, Allen, Driggers, and unknown officers for their failure to provide grievance forms to the plaintiff. The court **FURTHER ORDERS** that the following claims are **REFERRED** to the

magistrate judge for further proceedings: (1) the plaintiff's Eighth Amendment failure to protect claims against defendant Ozbolt and unknown officers; (2) the plaintiff's Eighth Amendment claims for denial of medical treatment against defendants Ozbolt, Corriko, McVay, Allen, Driggers, and unknown officers; and (3) the plaintiff's retaliation claim against defendant Ozbolt.

DONE the 11th day of October, 2017.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE