

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

ROBERT E. KING,

Plaintiff,

v.

**HUNTSVILLE POLICE DEPARTMENT,
et al.,**

Defendants.

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Case No.: 5:16-cv-00750-RDP-JEO


ORDER

On August 24, 2016, the Magistrate Judge’s Report and Recommendation (Doc. # 7) was entered and Plaintiff was allowed therein fourteen (14) days in which to file objections to the recommendations made by the Magistrate Judge. No objections have been filed.¹

After careful consideration of the record in this case and the Magistrate Judge’s Report and Recommendation, the court hereby **ADOPTS** the Report of the Magistrate Judge and **ACCEPTS** the recommendations of the Magistrate Judge. It is therefore **ORDERED** that all of Plaintiff’s claims in this action, except the Fourth Amendment claim against Officer K. Wooden identified in the Report, are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A(b)(1). It is further **ORDERED** that the Fourth Amendment claim against Defendant Wooden is **REFERRED** back to the Magistrate Judge for further proceedings

¹ Plaintiff sent a letter to the court on September 2, 2016. The letter states that Plaintiff has an appeal pending before the Alabama Supreme Court and inquires whether the court will require the Huntsville Police Department to release a video of the stop at issue in this action. (Doc. # 8). Plaintiff’s letter contains no objections to the Report, as it does not point to any purported incorrect finding of fact or recommendation of law in the Report. (Doc. # 7 at 13 (“Objections should specifically identify all findings of fact and recommendations to which objection is made and the specific basis for objection.”)). Plaintiff’s inquiry about the video is premature because the complaint has not been served upon Defendants.

DONE and **ORDERED** this September 13, 2016.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE