

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

RODERICK CARMICHAEL,)	
)	
Plaintiff,)	
)	
v.)	Case No. 5:21-cv-00096-LCB-JHE
)	
DR. HOOPER, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION


The magistrate judge entered a report and recommendation on January 10, 2022, recommending the defendants’ motion for summary judgment (Doc. 11) be granted. (Doc. 18). Although the parties were advised of their right to file objections within 14 days, that time has expired with no objections having 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 court **ADOPTS** the magistrate judge’s report and **ACCEPTS** the recommendation. The court **EXPRESSLY FINDS** that there are no genuine issues of material fact and that the defendants are entitled to judgment in their favor as a matter of law. Accordingly, the court shall **ORDER** that the defendants’ motion for summary judgment be **GRANTED** on the plaintiff’s Eighth Amendment claim for deliberate indifference

to medical needs, and that the plaintiff's state law medical malpractice claim be **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1367(c).

A Final Judgment will be entered.

DONE and **ORDERED** February 3, 2022.



LILES C. BURKE
UNITED STATES DISTRICT JUDGE