

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

TERRY JEROME GREEN,)	
)	
Plaintiff ,)	
)	
v.)	Case No. 6:12-CV-264-VEH-PWG
)	
RICHARD W. HARRIS, et al.,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on August 31, 2012, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted. (Doc. 11.) Specifically, the magistrate judge found that plaintiff failed to state a constitutional claim against defendants for allegedly failing to intervene or discipline inmates who yelled a racial slur at him as he was being escorted past a cellblock. The plaintiff filed objections to the report and recommendation on September 11, 2012. (Doc. 12.)

In his objections, plaintiff complains that the magistrate judge failed to address his claims that: (1) prison officials have prohibited him from receiving mail from his wife and family members and; (2) he has not committed a disciplinary infraction and,

therefore, should be assigned to general population. Plaintiff's objections are completely unrelated to the claims made in his complaint. Plaintiff was advised that the filing of objections is not a proper vehicle to make new allegations. (Doc. 11 at 5.) Therefore, plaintiff's objections are **OVERRULED**.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted. A Final Judgment will be entered.

DONE this the 17th day of September, 2012.



VIRGINIA EMERSON HOPKINS
United States District Judge