

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
JASPER DIVISION**

**GEORGIA WHITLOW,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **CITY OF SUMITON, ALABAMA;** )  
 **PATRICK RAGSDALE; and** )  
 **T.J. BURNETTE,** )  
 )  
 **Defendants.** )

**Case Number: CV 12-S-1077-J**


**MEMORANDUM OPINION**

In this action removed from Alabama state court, Plaintiff Georgia Whitlow brings claims pursuant to 42 U.S.C. § 1983 against the City of Sumiton, Alabama (the “City”); Patrick Ragsdale, a police officer employed by the City (“Officer Ragsdale”); and T.J. Burnette, the City’s Chief of Police (“Chief Burnette”) (collectively the “Defendants”). (Doc. 1). On August 31, 2012, the magistrate judge entered a report recommending that defendants’ motion to dismiss for failure to state a claim (Doc. 6) is due to be granted. (Doc. 9). The report advised the parties that objections to the magistrate judge’s findings and recommendation were due within 14 days following entry of the report. That deadline has expired with no objections having been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, the Court is of the opinion that the magistrate judge’s findings are due to be, and

they hereby are, ADOPTED, and his recommendation is ACCEPTED. Defendants' motion to dismiss (doc. no. 6) is due to be GRANTED, and this action is due to be DISMISSED. A separate order of dismissal will be entered.

DONE this 20th day of September, 2012.

  
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United States District Judge