

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
JASPER DIVISION

MICHAEL PATRICK ANGLLEN,)

Plaintiff)

vs.)

Case No. 6:13-cv-00126-VEH-HGD

FAYETTE COUNTY JAIL, et al.,)

Defendants)

MEMORANDUM OF OPINION

The magistrate judge filed a report on April 25, 2013, recommending that this action be dismissed without prejudice for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). (Doc. 9). In conjunction with a motion for appointment of counsel, the plaintiff submitted objections to the report and recommendation on May 2, 2013. (Doc. 10).

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 hereby is **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, this action is due to be

dismissed without prejudice for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). A Final Judgment will be entered.

The plaintiff's motion for appointment of counsel (Doc. 10) is **DENIED** as moot.

DATED this 12th day of June, 2013.



VIRGINIA EMERSON HOPKINS
United States District Judge