

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

GREGORY L. GAITER,)
)
 Plaintiff,)
)
 v.)
)
 SGT. LILLY WILLIFORD, and)
 WARDEN FREDDIE BUTLER,)
)
 Defendants.)

Case No. 6:14-cv-00838-MHH-TMP

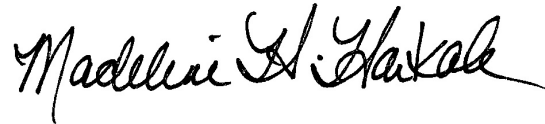
MEMORANDUM OF OPINION

The magistrate judge filed a report on November 24, 2014, 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). Although the plaintiff was advised of his right to file specific written objections within fourteen days, he has failed to object or otherwise respond to the report and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, 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. Therefore, in accordance with 28 U.S.C. § 1915A(b)(1), this action is due to be dismissed without prejudice for failing to state a claim upon which relief can be granted. A Final Judgment will be entered contemporaneously herewith.

The plaintiff's motion for appointment of counsel (doc. 5) is **DENIED** as moot.

DATED this 15th day of December, 2014.

A handwritten signature in black ink, reading "Madeline H. Haikala". The signature is written in a cursive style with a long, sweeping tail on the final letter.

MADELINE HUGHES HAIKALA

U.S. DISTRICT JUDGE