

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

JOSHUA RESHI DUDLEY,)

Plaintiff,)

v.)

OFFICER GANDY, et al.,)

Defendants.)

Case No. 7:11-cv-04170-RRA

ORDER

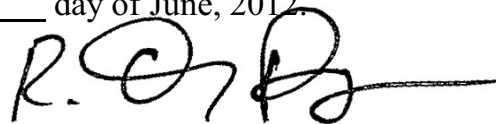
The Magistrate Judge filed a Report and Recommendation on May 22, 2012, recommending that all claims in this action, except the excessive force claim against Defendants Gandy, Samples, Channell, Little, and Williams arising from the July 13, 2011, incident, be dismissed without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1). It was further recommended that the excessive force claim against Gandy, Samples, Channell, Little, and Williams be referred to the Magistrate Judge for further proceedings. Plaintiff filed a response to the Report and Recommendation on May 30, 2012, indicating that he had no objections to the Magistrate Judge's findings.

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 is hereby **ADOPTED** and the Magistrate Judge's Recommendation is **ACCEPTED**. It is therefore **ORDERED, ADJUDGED, and DECREED** that all of Plaintiff's claims in this action, except the excessive force claim against Defendants

Gandy, Samples, Channell, Little, and Williams arising from the July 13, 2011, incident, are **DISMISSED WITHOUT PREJUDICE**, pursuant to 28 U.S.C. § 1915A(b). It is further **ORDERED** that the remaining excessive force claim against Defendants Gandy, Samples, Channell, Little, and Williams is **REFERRED** to the Magistrate Judge for further proceedings.

The Clerk is **DIRECTED** to serve a copy of this order upon Plaintiff.

DONE and **ORDERED** this 19th day of June, 2012.

A handwritten signature in black ink, appearing to read 'R. David Proctor', written over a horizontal line.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE