

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

JOSHUA RESHI DUDLEY,

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Plaintiff;

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vs.

7:11-cv-4170-LSC

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OFFICER GANDY, et al.,

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Defendants.

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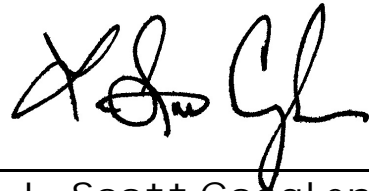
ORDER

This is an action filed pursuant to 42 U.S.C. § 1983 by Plaintiff, Joshua Reshi Dudley, alleging he has been deprived of rights, privileges, or immunities afforded him under the Constitution or laws of the United States of America during his incarceration in the Tuscaloosa County Jail, in Tuscaloosa, Alabama. Plaintiff seeks compensatory damages for alleged excessive force occurring on July 13, 2011. The Court has before it the Special Report, construed as a Motion for Summary Judgment, filed by the remaining defendants in this case, Percy Sample, Lance Channell, Robert Little, Dennis Williamson, and Alan Gandy (hereinafter, " Defendants"). (Doc. 24.) The Magistrate Judge filed a report and recommendation on August 4, 2014,

recommending that this Court deny Defendants' motion for summary judgment. (Doc. 36.) The parties were allowed fourteen days to file written objections to the Magistrate Judge's report and recommendation. No objections were filed. This action was reassigned to the undersigned judge on October 1, 2014.

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. Defendants' special report, construed as a motion for summary judgment, (doc. 24) is therefore DENIED.

Done this 7th day of October 2014.

A handwritten signature in black ink, appearing to read 'L. Scott Coogler', written over a horizontal line.

L. Scott Coogler
United States District Judge
[160704]