

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

CARLTON R. EDWARDS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 7:12-cv-01091-RDP-RRA
)	
DARREN H. BEAMS and)	
SCOTT HOLMES,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

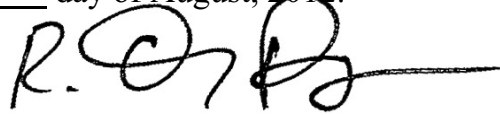
The Magistrate Judge filed a Report and Recommendation on July 25, 2012, recommending that this action be dismissed without prejudice for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). Although Plaintiff was advised of his right to file specific written objections within fifteen days, he has not responded to the Report and Recommendation.¹

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**. Accordingly, this action is due to be dismissed without prejudice for failing

¹ Plaintiff did file a motion for discovery on July 27, 2012. (Doc. #17). However, the certificate of service on that document shows that it was mailed prior to the July 25, 2012, Report and Recommendation and therefore cannot be construed as a response thereto. The motion is hereby **DENIED** as moot.

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.

DONE and **ORDERED** this 21st day of August, 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