

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

PATRICK JON BERTHELOT,)
)
 Plaintiff)
)
 vs.)
)
 ERIC F. BAILEY, et al.,)
)
 Defendants)

Case No. 7:13-cv-01020-LSC-HGD

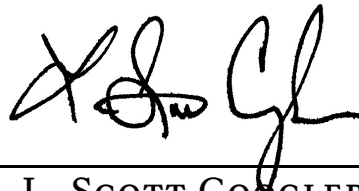
PARTIAL DISMISSAL ORDER

The magistrate judge filed a report and recommendation on January 7, 2014, recommending that this action as to the Tuscaloosa County Jail, Maude Whatley, and Chief of Operations Eric Bailey be dismissed pursuant to 28 U.S.C. § 1915A(b)(1) and/or (2). It was further recommended that plaintiff's claims of deliberate indifference to his serious medical needs against Officer Thomas and Deputy Smith be referred to the magistrate judge for further proceedings. No objections have been filed by any party.

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 against all defendants in this action, except plaintiff's claims of deliberate indifference to his serious medical needs against Officer Thomas and Deputy Smith, are DISMISSED pursuant to 28 U.S.C. §1915A(b). It is further ORDERED that plaintiff's claims of deliberate indifference to his serious medical needs against Officer Thomas and Deputy Smith are REFERRED to the magistrate judge for further proceedings.

Done this 10th day of March 2014.

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

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
[160704]