

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

TYRONE TRIPLETT,

Plaintiff,

v.

OFFICER ANTHONY D. HOLIFIELD,

Defendant.

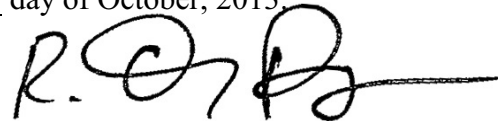
Case No. 7:13-cv-01052-RDP-HGD

MEMORANDUM OF OPINION

The Magistrate Judge filed a Report and Recommendation on October 2, 2013, 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. § 1915(e)(2)(B)(ii). (Doc. #9). Plaintiff submitted objections to the Report and Recommendation on October 15, 2013. (Doc. #10).

Having carefully reviewed and considered *de novo* all the materials in the court file, including the Report and Recommendation and the objections thereto, 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 to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). A Final Judgment will be entered.

DONE and ORDERED this 18th day of October, 2013.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE