

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

GILBERT J. WALLACE,)

Plaintiff,)

v.)

Dr. LEE HAMMONTREE, et al.,)

Defendants.)

Case No. 7:14-cv-01756-RDP-TMP

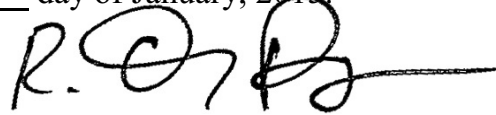
MEMORANDUM OF OPINION

The Magistrate Judge filed a Report and Recommendation on November 25, 2014, recommending that the federal claims in 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). The Magistrate Judge further recommended that any state law claims asserted in the complaint be dismissed without prejudice pursuant to 28 U.S.C. § 1367(c)(3). Although Plaintiff was advised of his right to file specific written objections within fourteen days, and was granted fourteen additional days on December 12, 2014, he has failed to respond to the Report and Recommendation.

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 recommendation is

ACCEPTED. Therefore, in accordance with 28 U.S.C. § 1915A(b)(1), the federal claims in this action are due to be dismissed without prejudice for failing to state a claim upon which relief can be granted. Additionally, any state law claims asserted in the complaint are due to be dismissed without prejudice pursuant to 28 U.S.C. § 1367(c)(3). A Final Judgment will be entered contemporaneously herewith.

DONE and ORDERED this 5th day of January, 2015.

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

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE