

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

TIVON ROLLIE THOMAS,)

Plaintiff,)

v.)

DR. PHILLIP BOBO, et al.,)

Respondent.)

CASE NO.:

7:14-cv-02084-VEH-JEO

MEMORANDUM OPINION

The Plaintiff has filed this case seeking monetary damages or injunctive relief pursuant to 42 U.S.C. § 1983 for violations of his civil rights. The Defendants' special reports were treated by the court as motions for summary judgment. (Docs. 21, 27). The court also treated a portion of the Plaintiff's response to the special reports as a motion for leave to conduct additional discovery. (Doc. 30 at 2). On June 1, 2016, the magistrate judge filed a report and recommendation recommending that "the plaintiff's motion for leave to conduct additional discovery be denied . . . , the motions for summary judgment be granted, and this action be **DISMISSED WITH PREJUDICE.**" (Doc. 33 at 18) (emphasis in original). The time for objections to the recommendation has expired, and 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 his recommendation is **ACCEPTED**. The Court **EXPRESSLY FINDS** that the Plaintiff is not entitled to additional discovery. Accordingly, the Plaintiff's motion for additional discovery is due to be **DENIED**. Further, the Court **EXPRESSLY FINDS** that there are no genuine issues of material fact and that the Defendants are entitled to judgment as a matter of law. Accordingly, the Defendants' motions for summary judgment are due to be **GRANTED**, and this action is due to be **DISMISSED WITH PREJUDICE**. A Final Judgment will be entered.

DONE this the 30th day of June, 2016.



VIRGINIA EMERSON HOPKINS
United States District Judge