

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

BRADLEY JAMISON HALLMAN, }

Plaintiff, }

v. }

**BIBB COUNTY CORRECTIONAL
FACILITY, et al.,** }

Defendants. }

Case No.:7:14-cv-02315-AKK-JEO

ORDER

The magistrate judge filed a report on July 27, 2015, recommending that plaintiff's claims against Warden Deborah Toney and Bibb County Correctional Facility be dismissed without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) and or (2) for failing to state a claim upon which relief can be granted. The magistrate judge further recommended that plaintiff's Eighth Amendment claims for excessive force against defendants Klinner, Whitt and Melton be referred to the magistrate judge for further proceedings. Although the plaintiff was advised of his right to file specific written objections, 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 hereby is **ADOPTED** and the magistrate judge's recommendation is **ACCEPTED**. It is therefore **ORDERED** that all of plaintiff's claims against defendants Warden Deborah Toney and Bibb County Correctional Facility are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A(b). It is further **ORDERED** that the plaintiff's remaining claims, for excessive force under the Eighth Amendment against defendants Klinner, Whitt and Melton are **REFERRED** to the magistrate judge for further proceedings.

DONE the 9th day of September, 2015.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE