

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

COREY LEMAR CANNON,)	
)	
Plaintiff,)	
)	Case No. 7:16-cv-01343-LSC-HNJ
v.)	
)	
WARDEN WILLIE THOMAS, et al.,)	
)	
Defendants.)	

ORDER

The magistrate judge entered a report on July 13, 2017, recommending the plaintiff’s Eighth Amendment failure to protect claims against defendants Bentley, Dunn, Thomas, Toney, Bennett, Hutton, Johnson, and Walker and the plaintiff’s Fourteenth Amendment due process claim against defendant Sealey be dismissed without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failing to state a claim upon which relief can be granted. (Doc. 10). The magistrate judge further recommended the plaintiff’s Eighth Amendment failure to protect claims against defendants Allen and Bryant be referred to the magistrate judge for further proceedings. (*Id.*). Although the magistrate judge advised the plaintiff of his right to file specific written objections within fourteen (14) days, the plaintiff has not filed any objections. (*Id.* at 11-12).

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge's report is hereby **ADOPTED** and the recommendation is **ACCEPTED**. The court **ORDERS** that the plaintiff's Eighth Amendment failure to protect claims against defendants Bentley, Dunn, Thomas, Toney, Bennett, Hutton, Johnson, and Walker and his Fourteenth Amendment due process claim against defendant Sealey are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A(b)(1). The court further **ORDERS** that the plaintiff's Eighth Amendment failure to protect claims against defendants Allen and Bryant are **REFERRED** to the magistrate judge for further proceedings.

DONE AND ORDERED ON AUGUST 9, 2017.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE

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