

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

PHILLIP SPENCER,  
(AIS #232063)

Plaintiff,

vs.

ANTHONY WILLIAMS, et al.,

Defendants.

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CIVIL ACTION 10-00555-WS-N

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court, as follows:

- 1) The motion for summary judgment of Defendant John Long is **GRANTED** as to all claims asserted against him by Plaintiff in the Complaint;
- 2) The motion for summary judgment of Defendants Russell Johnson and Anthony Williams is **DENIED** as to Plaintiff’s Eighth Amendment excessive force claims asserted against them in the Complaint.

In addition, Plaintiff’s motion for summary judgment is **DENIED** in its entirety.

DONE this 1st day of March, 2012.

s/ WILLIAM H. STEELE  
CHIEF UNITED STATES DISTRICT JUDGE