

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

DRAPER FRANK WOODYARD,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION 12-0566-WS-N
)	
ALABAMA DEPARTMENT OF CORRECTIONS, et al.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on the report and recommendation (“R&R”) of the Magistrate Judge and the objections of the plaintiff thereto. (Docs. 67, 69).¹ After due and proper consideration of all portions of the file deemed relevant to the issues raised, and after de novo review of the petitioner’s objections, the R&R made under 28 U.S.C. § 636(b)(3) and dated August 22, 2014 is **adopted** as the opinion of the Court.

Accordingly, it is ordered that:

1. The defendants’ motion for summary judgment, (29-31), is **denied** as to the plaintiff’s Eighth Amendment failure-to-protect claim against defendant David Leggett in his individual capacity;
2. The defendants’ motion for summary judgment is **granted** as to all other claims, which are **dismissed with prejudice**; and
3. The plaintiff’s motion for order of judgment, (Doc. 47), construed as a motion for sanctions, is **denied**.

DONE and ORDERED this 26th day of September, 2014.

s/ WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE

¹ The plaintiff has filed a motion to amend his objection. (Doc. 70). To the extent the plaintiff seeks to clarify that he does not object to the grant of summary judgment as to defendant Givens, (*id.* at 2), the motion is **granted**. To the extent the plaintiff seeks leave to file future, additional objections to the R&R, or seeks any other relief, the motion is **denied**.