

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

SHERMAN ANTWAN BROADHEAD,	:	
Plaintiff,	:	
	:	
	:	
vs.	:	CIVIL ACTION NO. 14-00216-CB-N
	:	
CYNTHIA D. McCOVERY, <i>et. al.</i> ,	:	
Defendants.	:	

ORDER

After due and proper consideration of the issues 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.

It is **ORDERED** that:

1. Summary Judgment is **GRANTED** in favor of Defendants Wayne Gray, Amanuel DuBose, Anthony Gibson, and Timothy Wetzel.
2. Summary Judgment is **DENIED** as to Defendants Cynthia McCovery and Shirley Smith; claims of failure to protect remain against them in their individual capacities.
3. Summary Judgment is **DENIED** as to Defendants Tyus, McKenzie, Smith, Fountain, Pacheco, and McQuirter; claims of excessive force and assault remain against them in their individual capacities.

There being no just reason for delay, the Court will separately enter final judgment in favor of Defendants Wayne Gray, Amanuel DuBose, Anthony Gibson, and Timothy Wetzel in accordance with Federal Rule of Civil Procedure 54(b).

DONE and **ORDERED** this 11th day of April, 2016.

s/Charles R. Butler, Jr.
Senior United States District Judge