

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

DE'ANGELO ARNEZ JONES,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION 15-0268-KD-B
	)	
WALTER MYERS, <i>et al.</i> ,	)	
	)	
Defendants.	)	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge (doc. 38) made under 28 U.S.C. § 636(b)(1)(B) is ADOPTED as the opinion of this Court.

Accordingly, it is ORDERED that summary judgment is GRANTED in favor of Defendants Walter Myers, William DeSpain, and Michael Everette as to the constitutional claims and the state law negligence claims against them;

It is further ORDERED that summary judgment is GRANTED in favor of Defendant John Wiley as to the constitutional claim and related state law negligence claim against him in Claim 1; and

It is further ORDERED that summary judgment is DENIED as to the constitutional claims and related state law negligence claims against Defendants John Wiley and Gary Scarbrough in Claims 2 and 3.

This action is referred to the Magistrate Judge for further proceedings consistent with this Order and the Report and Recommendation, including an evidentiary hearing and appointment of counsel if appropriate.

DONE this 20th day of March 2018.

s/ Kristi K. DuBose  
KRISTI K. DuBOSE  
CHIEF UNITED STATES DISTRICT JUDGE