Faulkner v. Dunn et al Doc. 135

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

QUANDARIAN FAULKNER

Plaintiff,

vs. : CIVIL ACTION 17-0077-JB-MU

JEFFERSON DUNN, et al., Defendants.

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Recommendation to which objection is made, 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 summary judgment is:

- 1. **GRANTED** in favor of Defendants Jefferson Dunn, Warden Cynthia Stewart, Warden Terry Raybon, Warden Mitchell, Lieutenant Ashley Kidd, Officer Gary Scarborough, Officer Timothy Vignolo, Otis Smith, Mallory Mixon, Nurse Ashley Wall, and Nurse Jonathan Langford, and those claims presented against these defendants are **DISMISSED** with prejudice;
- GRANTED in favor of Defendants Edmonds, Parker, Griffin, Luitze, and Norris, Antonio McClain, Anthony Hadley, Alfie Pacheco, Henry Finklea, Larry McCovery, Marcus Gaston, Gregory Patterson, Danny Fountain, DeJour Knight, John Pryor, Bradly Walker, Dominic Whitley, David Dennis, Jesse Stanford, Steve Terry, and Jesse Wilson on the claims of excessive force and assault and battery;
- DENIED as to Defendants McQuirter, Bullard, Duren, Arthur, Baldwin, Streeter, Fails, Lewis, Fleeton, Robinson, Snelson, Brown, Tunstall, Sanders, Melton, Jones, Harrison and Grantt Culliver on the claims of excessive force and battery; and
- 4. **DENIED** as to Defendants Culliver, Fails, Edmonds, Parker, Griffin, Luitz, Norris, McClain, Hadley, Pacheco, Finklea, McCovery, Gaston, Patterson, Fountain, Knight, Pryor, Walker, Whitley, Dennis, Stanford, Terry, Wilson,

McQuirter, Bullard, Duren, Arthur, Baldwin, Streeter, Lewis, Fleeton, Robinson, Snelson, Brown, Tunstall, Sanders, Melton, Harrison, and Jones on the claims of failure to protect.

DONE and ORDERED this 7th day of January, 2020.

<u>/s/ JEFFREY U. BEAVERSTOCK</u> UNITED STATES DISTRICT JUDGE