

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

DANIEL WADE HAILS,

Plaintiff,

v.

TIMOTHY TRENT DENNIS, et al.,

Defendants.

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CIVIL ACTION 17-00259-KD-N

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 Reports and Recommendations (Docs. 57, 58) to which objections (Docs. 60, 61) are made, the Reports and Recommendations of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated February 14, 2018 and February 20, 2018 are both **ADOPTED** as the opinion of this Court. Accordingly, it is **ORDERED** that:

1) the Motion to Dismiss filed by Defendants Gaul, McKinney, Jones, Morrison, Correa, Payne, Walker, Lindell, Reid, and Lamplugh is **GRANTED** such that Plaintiff's claims against these Defendants are **DISMISSED**;

2) the Motion to Dismiss filed by Defendant Chief Wasdin is **GRANTED** such that Plaintiff's claims against her are **DISMISSED**;

3) the Motion to Dismiss filed by Defendant Officer Dennis is **DENIED** and Plaintiff is permitted an opportunity to amend his complaint **ONLY** as to his claims against Defendant Officer Dennis. Specifically, on or before **April 13, 2018**, Plaintiff shall file an amended complaint against Defendant Officer Dennis setting out his claims specifically as to how the events occurred;

4) the Motion to Dismiss filed by Defendant Sheriff Huey Mack is **GRANTED** such that Plaintiff's claims against this Defendant are **DISMISSED**.

DONE and **ORDERED** this the 26th day of **March 2018**.

/s/ Kristi K. DuBose

KRISTI K. DuBOSE

CHIEF UNITED STATES DISTRICT JUDGE