

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

ANDRE PEARSON,)	
)	
Plaintiff,)	
)	
vs.)	CIV. ACT. NO. 1:18-cv-379-TFM-MU
)	
OFFICER JEREMY WATSON, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

On October 20, 2020, the Magistrate Judge entered a report and recommendation which recommends Defendants' Motion for Summary Judgment be granted. *See* Doc. 32. Plaintiff timely filed objections and also files a motion for discovery and document production. *See* Docs. 33, 34. The Court has reviewed the report and recommendation, objections, and conducted a de novo review of the case file. For the reasons discussed below, the objections are **OVERRULED** and the Report and Recommendation is **ADOPTED**.

Plaintiff's objections do not raise new information and also requests the Court require lie detectors from all parties. *See* Doc. 33. None of Plaintiff's allegations in his Complaint offset the well-reasoned analysis by the Magistrate Judge. Rather, he now seems to frame his allegations as some kind of deliberate illegal conspiracy by the Defendants as opposed to the allegations originally made in his Complaint and first response to summary judgment (Doc. 21) which focused on negligent failure to properly perform their jobs and protect the Plaintiff. In reviewing a magistrate judge's report and recommendation, the Court need not consider objections based on arguments not raised before the magistrate judge. *See Williams v. McNeil*, 557 F.3d 1287, 1292 (11th Cir. 2009). Further, none of his unsworn objections counter the sworn evidence presented

by the Defendants in their motion for summary judgment.

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 Report and Recommendation to which objection is made, it is **ORDERED** as follows:

- (1) Plaintiff's objections (Doc. 33) are **OVERRULED**;
- (2) The Report and Recommendation (Doc. 32) is **ADOPTED** as the opinion of the Court;
- (3) The Defendants' Motion for Summary Judgment (Doc. 13) is **GRANTED**;
- (4) Plaintiff's claims are **DISMISSED with prejudice**;
- (5) All remaining motions are **DENIED as moot**.

Final judgment shall issue separately in accordance with this order and Federal Rule of Civil Procedure 58.

DONE and **ORDERED** this 10th day of December, 2020.

/s/Terry F. Moorner
TERRY F. MOORER
UNITED STATES DISTRICT JUDGE