

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

DEREK HINDS,
Plaintiff,

v.

C.O. WETZEL, et al.,
Defendants.

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CIVIL ACTION: 1:18-00481-KD-MU

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 Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated October 21, 2020, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that summary judgment is **GRANTED in part** and **DENIED in part** as follows: **DENIED** as to Hinds' Eighth Amendment claims against Defendants Wetzel and Brown related to the nighttime attack; and **GRANTED** as to Hinds' Fourteenth Amendment claim and Eighth Amendment failure to intervene claim related to the T.V. room inmate assault against all Defendants.

DONE and ORDERED this the **16th** day of **November 2020**.

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