

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

MICHAEL BENJAMIN PHILLIPS,)	
BCSCC # 20007708,)	
)	
Plaintiff,)	
)	
vs.)	CIV. ACT. NO. 1:22-cv-125-TFM-B
)	
WILLIAM E. SCULLY, JR., et al,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

On December 20, 2022, the Magistrate Judge filed a Report and Recommendation which recommends the Plaintiff's hybrid motion for extension of time and for counsel to be appointed and/or leave to amend be granted in part and denied in part. *See* Doc. 15. The Report and Recommendation recommends the request for extension be granted but the reconsideration of the denial of the request for leave to amend and for appointment of counsel be denied. *Id.* No objections were filed.

Accordingly, 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. 15) is **ADOPTED** as the opinion of the Court. Accordingly, Plaintiff's "Request for Extention of time to file Objections/for Counsel to be Appointed or leave to Amend" (Docs. 14, 14-1) is **GRANTED in part and DENIED in part**. The motion is **DENIED** as to the requests for leave to amend his complaint and for appointment of counsel. Plaintiff's request for an extension of time to file objections to the report and recommendation of the undersigned Magistrate Judge dated October 28, 2022 (Doc. 12) is **GRANTED**. The deadline for the Plaintiff

to file his objection to the Report and Recommendation (Doc. 12) is **EXTENDED** to **May 5, 2023**.

No further extensions will be granted absent a showing of good cause.

DONE and **ORDERED** this 21st day of April, 2023.

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