

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

MARK HOOTEN,	:	
	:	
Plaintiff,	:	CASE NO.
v.	:	5:11-CV-115 (CAR)
	:	
JOSEPH FOWLKES, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**ORDER ON THE RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

Currently before the Court is the Recommendation of the United States Magistrate Judge that Defendants’ Motion to Dismiss be granted, and that Plaintiff’s Motion to Strike be denied. [Doc. 44]. On January 23, 2012, Plaintiff sought an extension of time to file objections to the Magistrate Judge’s Recommendation. [Doc. 45]. That motion was granted, and Plaintiff was given an additional 14 days to file objections. No objection was filed, and having considered the matter, this Court agrees with the findings and conclusions of the United States Magistrate Judge. The Recommendation is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**.

Accordingly, Plaintiff’s claims arising from the failure to provide or fit Plaintiff for a shoe insert in September and October 2010 against Defendants Dr. Joseph Fowlkes, Dr. Monica Hill, Virginia Cox, and Connie Kilgore, in their individual capacities, will be allowed to proceed. In addition, Plaintiff’s claims alleging the general denial of medical

care based on Defendants' refusal to follow the prescribed orders of Plaintiff's outside physician will be allowed to proceed. Plaintiff's claims against Defendants Nick Taylor, Robert Toole, Nancy Davis, Todd Tripp, and Melinda Thompson are **DISMISSED** with prejudice. Further, all claims against Defendants in their official capacities are **DISMISSED** with prejudice.

SO ORDERED, this 15th day of March, 2012.

S/ C. Ashley Royal
C. ASHLEY ROYAL, CHIEF JUDGE
UNITED STATES DISTRICT COURT

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