

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

<b>EMEKA MICHAEL ABANIFI, JR.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 5:12-CV-421 (MTT)</b>
	)	
<b>Warden SHEILA OUBRE, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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**ORDER**

This matter is before the Court on the Recommendation of United States Magistrate Judge Charles H. Weigle. (Doc. 12). The Magistrate Judge, having reviewed the Complaint pursuant to 28 U.S.C. § 1915A, recommends dismissing Defendant Brian Owens because the Plaintiff’s Complaint does not include allegations connecting this Defendant to the alleged constitutional violations. The Magistrate Judge also recommends dismissing the Plaintiff’s due process claim regarding his disciplinary proceedings because he has failed to show what punishment he received as a result of the proceedings. Finally, the Magistrate Judge recommends dismissing the Plaintiff’s claim regarding the deprivation of his personal property because an adequate postdeprivation remedy exists under state law.

The Plaintiff filed an objection to the Recommendation. (Doc. 16). Pursuant to 28 U.S.C. § 636(b)(1), the Court has considered the Plaintiff’s objections and has made a de novo determination of the portions of the Recommendation to which the Plaintiff objects. The Court accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge, and the Recommendation is adopted and made the order of this Court. Defendant Brian Owens is **DISMISSED** as a party to this action. The

Plaintiff's due process and deprivation of personal property claims are **DISMISSED without prejudice**. The Plaintiff's claims against the remaining Defendants shall go forward.

**SO ORDERED**, this the 19th day of February, 2013.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT