

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

GABE LOCKETT CULLER,)
Plaintiff,)
v.) CIVIL ACTION NO. 5:13-CV-8 (MTT)
OFFICER DESCOTEAUX,)
Defendant.)

)

ORDER

Before the Court is Magistrate Judge Stephen Hyles's Recommendation on the Plaintiff's Complaint. (Doc. 5). The Magistrate Judge recommends dismissing the Plaintiff's request for release from confinement. (Doc. 5 at 4). The Magistrate Judge also recommends dismissing without prejudice the Plaintiff's claim that he was not advised of his *Miranda* rights. (Doc. 5 at 6). The Plaintiff has not objected to the Recommendation.

The Court has reviewed the Plaintiff's Complaint and the Recommendation. The Court accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge. The Recommendation is adopted and made the order of this Court. The Plaintiff may continue with his Eighth Amendment claim of excessive force against the Defendant; however, all of the Plaintiff's remaining claims are **DISMISSED**.

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

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