

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

BUELL DAVID EMBERSON,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 5:15-CV-331 (MTT)
)	
BRUCE CHATMAN, et al.,)	
)	
)	
Defendants.)	
)	

ORDER

United States Magistrate Judge Charles H. Weigle recommends that any Eighth Amendment claims brought by the Plaintiff based on a specific denial of medical or dental care be dismissed without prejudice. (Doc. 15). The Plaintiff has not objected to the Recommendation. The Court has reviewed the Recommendation and accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. Accordingly, the Recommendation is **ADOPTED** and made the order of this Court. Any Eighth Amendment claims brought by the Plaintiff based on a specific denial of medical or dental care are **DISMISSED without prejudice.**¹

SO ORDERED, this 21st day of June, 2016.

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

¹ Because the Plaintiff’s amended complaint clearly identifies his Eighth Amendment claim as “totality of confinement conditions,” it does not appear that the Plaintiff is attempting to bring a claim based on a specific denial. Nevertheless, the Plaintiff alleges, without identifying a defendant, that in “early 2015” he “was forced to wait more than a month in severe pain” for dental care. (Doc. 12 at ¶ 52). To the extent the Plaintiff is attempting to bring an Eighth Amendment claim based on this incident, the relevant two year statute of limitations will not bar the refiling of the claim.