

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

JAMES OWENS, III,	:	
	:	
Plaintiff,	:	Civil Action
	:	No. 5:17-cv-241-CAR-MSH
v.	:	
	:	
LYNN WATERS, <i>et al.</i> ,	:	
	:	
Defendants.	:	

---

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

Currently before the Court is the Order and Recommendation of the United States Magistrate Judge to allow Plaintiff's Fourteenth Amendment inadequate medical care claims against Defendants Waters, Ranson, Sprague, Haynie, Stines, Jackson, Brown, Smith, and Everidge, and Plaintiff's First Amendment retaliation claim against Defendant McDuffie to proceed; and to dismiss without prejudice Plaintiff's Fourteenth Amendment claims against Defendants Williams, Ingram, Stubbs, West, and Shafer for failure to state a claim upon which relief may be granted. Plaintiff has not filed an objection to the Recommendation. This Court agrees with the findings and conclusions of the Order and Recommendation, and thus, it [Doc. 7] is **ADOPTED AND MADE THE ORDER OF THE COURT**. Because Plaintiff fails to state a claim against Defendants WILLIAMS, INGRAM, STUBBS, WEST, and SHAFER, those Defendants are

**DISMISSED WITHOUT PREJUDICE.** As set forth in the Order and Recommendation,  
Plaintiff's remaining claims may proceed forward.

**SO ORDERED**, this 9th day of November, 2017.

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

SSH