

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

FILED
U.S. DISTRICT COURT
DUBLIN DIV.

2010 JUL 15 AM 8:56

CLERK L. Sanders
SO. DIST. OF GA.

NATHANIEL THOMAS DUNN,)	
)	
Plaintiff,)	
)	
v.)	CV 309-087
)	
O. RODRIGUEZ, Deputy Warden of Care)	
and Treatment, et al.,)	
)	
Defendants.)	

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed.¹ Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's official capacity claims for monetary damages, grievance claims, and "seatbelt" claims are **DISMISSED** from this action. Furthermore, Defendants Corrections Corporation of America, Wheeler Correctional Facility, Medical Services, and

¹Although Plaintiff has entitled his responses to the Magistrate Judge's Report and Recommendation as "Plaintiff[s] Objections," Plaintiff does not take issue with any of the Magistrate Judge's findings in his filings, and thus, the Court does not construe these filings as objections. Rather, Plaintiff is apparently dissatisfied that certain Defendants have not responded to his requests for production and that a hearing was scheduled in this case without proper notice. (See doc. nos. 17, 18.) However, a review of the docket reveals that no hearings have been scheduled in this case. Furthermore, to the extent Plaintiff's filings may be construed as motions to compel, the Court notes that there is nothing in the record demonstrating that any Defendant has been served, much less an answer filed or a Scheduling Notice entered. Thus, any motions to compel are premature at best.

the Georgia Department of Corrections, as well as Defendants Sightler, Clark, Smith, Evans, Sikes, Harden, Johnson, Harris, Owens, Kemp, Conner, and John Does 1, 2, and 3 are **DISMISSED** from this case.

SO ORDERED this 14th day of July, 2010, at Augusta, Georgia.


UNITED STATES DISTRICT JUDGE