

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

MARIO COOK,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. CV419-203
)	
SHERIFF JOHN WILCHER,)	
OFFICER BRAXTON, and)	
CPL. MUNOZ,)	
)	
Defendants.)	
_____)	

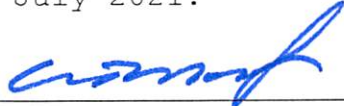
O R D E R

Before the Court is the Magistrate Judge’s May 21, 2021, Report and Recommendation. (Doc. 8.) In the report and recommendation, the Magistrate Judge recommended that the Court dismiss all of Plaintiff’s claims against Defendant Sheriff John Wilcher and Plaintiff’s Eighth Amendment claim based on the conditions of his confinement. (Id. at 14.) The Magistrate Judge also directed Plaintiff to file an amended complaint that addresses the defects in his Eighth Amendment claim based on the denial of medical care. (Id.) On June 24, 2021, Plaintiff filed a document titled “Objections to Magistrate Judge’s Report.” (Doc. 9.) In the filing, Plaintiff does not directly address the report and recommendation but, instead, describes the extent of his injuries in detail. (Id. at 1-2.) Pro se pleadings are held to a less stringent standard than pleadings drafted by attorneys and are

liberally construed. See Bingham v. Thomas, 654 F.3d 1171, 1175 (11th Cir. 2011). Accordingly, the Court construes Plaintiff's filing as an attempt to amend his complaint in accordance with the Magistrate Judge's directive. (See Doc. 8 at 9-13.) Accordingly, Plaintiff's Amended Complaint (Doc. 9) is **REMANDED** to the Magistrate Judge for further screening pursuant to 28 U.S.C. § 1915A.

After a careful de novo review of the record, the remainder of the report and recommendation is **ADOPTED** as the Court's opinion in this case. As a result, Defendant Sheriff Wilcher is **DISMISSED** and Plaintiff's Eighth Amendment claim based on the conditions of his confinement is **DISMISSED**. Plaintiff's Eighth Amendment claim based on the denial of medical care remains, pending further screening by the Magistrate Judge.

SO ORDERED this 19th day of July 2021.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA