

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

FILED
U.S. DISTRICT COURT
WAYCROSS DIV.
2011 MAR 24 PM 1:43
CLERK *C. Johnson*
SO. DIST. OF GA.

ANTHONY RENARD BROWN,

Plaintiff,

vs.

CIVIL ACTION NO.: CV510-117

DR. OWENS; Correctional Officer
WOODS; Nurse McELROY; Medical
Director JOHNS; Warden DONALD
JACKSON; Warden DANNY BENNETT;
and Warden JOEL KNOWLES,

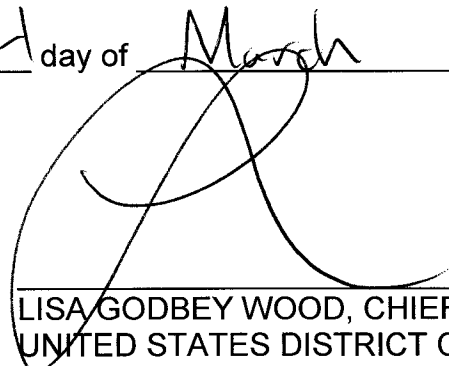
Defendants.

ORDER

After an independent and *de novo* review of the record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, Plaintiff reiterates the concerns he set forth in his complaint regarding Defendants' alleged failure to give him Benadryl every day. "[A]n inmate must allege acts or omissions sufficiently harmful to evidence deliberate indifference to serious medical needs." Hill v. DeKalb Reg'l Youth Det. Ctr., 40 F.3d 1176, 1186 (11th Cir. 1994). A mere difference in medical opinion between medical personnel and the prisoner as to the diagnosis or course of treatment is insufficient to support an Eighth Amendment claim. Harris v. Thigpen, 941 F.2d 1495, 1505 (11th Cir. 1991). Plaintiff at most has alleged a difference in medical opinion concerning his course of treatment.

Plaintiff's Objections are without merit and are **OVERRULLED**. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Plaintiff's Complaint is **DISMISSED**, as it fails to state a cognizable claim under 42 U.S.C. § 1983. The Clerk is authorized and directed to enter the appropriate Judgment of dismissal.

SO ORDERED, this 24 day of March, 2011.



LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA