

**In the United States District Court  
For the Southern District of Georgia  
Waycross Division**

JOSEPH TABB,

Plaintiff,

v.

HOMER BRYSON, et al.,

Defendants.

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CIVIL ACTION NO.: 5:15-cv-58

ORDER

After an independent and *de novo* review of the record, the undersigned concurs with the Magistrate Judge's January 8, 2016, Report and Recommendation, dkt. no. 29, to which objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED** as the opinion of the Court, and the Court **OVERRULES** Plaintiff's Objections, dkt. no. 30.

The Court **DISMISSES** the following claims: all monetary damages claims against Defendants in their official capacities; all monetary damages claims against Defendant Homer Bryson; Eighth Amendment denial of exercise claims against Defendants Crawford, Lowe, Doe, Ferrel, and Doe-2; Eighth Amendment inadequate food claims against Defendants Brooks, Steedley, Lowe, Ferrel, and Jane Doe-2; Eighth Amendment inadequate

medical care claims against Defendants Brooks, Steedley, Lowe, and Jane Doe; and Procedural and Substantive Due Process Claims against Defendants Johnson, Crawford, Jane Doe, Ferrel, and Jane Doe-2. In addition, the Court **DENIES** Plaintiff's Motion for a Preliminary Injunction. Dkt. No. 4. However, as outlined in the Report and Recommendation, Plaintiff has stated at least one viable claim against all Defendants, dkt. no. 29, p. 23, and, therefore, this action will proceed.

SO ORDERED, this 3 day of Feb, 2016.

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