

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION**

MARVIN TURNER,

Plaintiff,

v.

DANE DASHER; JOHN PAUL; LARRY
BREWTON; KAREN DEKELE; Officer
LANE; Officer KING; Officer LILLIARD;
Lt. THOMAS; and DON JARRIEL,

Defendants.

CIVIL ACTION NO.: CV611-098


ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, Plaintiff asserts that the Magistrate Judge misconstrued the standard of review applicable to the deliberate indifference to safety claims Plaintiff set forth. Plaintiff also asserts that the Magistrate Judge did not make a proper determination that Defendants had a subjective awareness of a substantial risk of harm to Plaintiff's safety. Plaintiff further asserts that the Magistrate Judge's recommendation is premature because Plaintiff has not had the opportunity to initiate discovery.

Plaintiff fails to set forth any facts which would arguably lead to the reasonable inference that Movants are liable for any alleged misconduct. Plaintiff's Objections are without merit. The Magistrate Judge's Report and Recommendation is adopted as the

opinion of the Court. Movants' Motion to Dismiss is **GRANTED**. Plaintiff's claims against Defendants Don Jarriel, Dane Dasher, John Paul, Larry Brewton, Tammie Thomas, and Karen Dekele are **DISMISSED**. Plaintiff's claims against Lt. Thomas, Correctional Officers Lane and King, and FNU Lilliard shall remain pending.

SO ORDERED, this 24th day of Oct, 2012.


B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA