IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI GREENVILLE DIVISION

TOMMY JACKSON

PLAINTIFF

V.

LAWRENCE KELLY, et al.

ORDER OVERRULING OBJECTIONS and ADOPTING REPORT AND RECOMMENDATION

The Plaintiff, an inmate proceeding prose, filed this complaint pursuant to 42 U.S.C. § 1983. The Plaintiff's complaint included claims excessive force and failure to protect. Following and evidentiary hearing, the Magistrate Judge submitted a report recommending the dismissal of

Plaintiff's claims. The Plaintiff has filed objections to the report and recommendation.

The court finds that for reasons stated in the Report and Recommendation dated March 10,

2010, the Plaintiff's objections are not well taken.

THEREFORE, it is hereby ORDERED that

(1) the Plaintiff's objections to the Report and Recommendation of the United States

Magistrate Judge are **OVERRULED**;

(2) the Report and Recommendation (docket entry 41) is **APPROVED** and **ADOPTED** as the opinion of this court;

(3) the complaint is **DISMISSED** with prejudice; and

(4) this matter is **CLOSED**.

SO ORDERED, this the 5th day of April 2010.

<u>/s/ W. Allen Pepper, Jr.</u> W. ALLEN PEPPER, JR. UNITED STATES DISTRICT JUDGE

NO. 4:07CV144-P-A DEFENDANTS