

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

**CASEY J. CASTON**

**PLAINTIFF**

**v.**

**No. 4:12CV32-A-V**

**WARDEN JOANNE HARRIS, ET AL., ET AL.**

**DEFENDANTS**

**ORDER ADOPTING  
REPORT AND RECOMMENDATION**

Upon consideration of the file and records in this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated June 12, 2012, was on that date duly served by mail upon the *pro se* plaintiff at his last known address; that more than fourteen days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been filed or served by any party. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore **ORDERED**:

1. That the Report and Recommendation of the United States Magistrate Judge dated June 12, 2012, is hereby **APPROVED AND ADOPTED** as the opinion of the court.

2. That the plaintiff's claims for retaliation, general conditions of confinement, and denial of access to the courts are **DISMISSED** for failure to state a claim upon which relief could be granted. In addition, the following defendants are **DISMISSED** with prejudice from this case: CO Fowler, CO Curry, CO Allen, CO Rhodes, and CO Poindexter.

3. That Caston's allegations regarding denial of adequate medical care and excessive force against Warden Joanne Harris, CO Harmon, CO Bloomingbird, CO Freddy Jones, Lt. Addison, Canteen Officer Terrance "Doe," Sheriff Milton Gaston, Chief Clayton Williams CO

Malcolm Stewart, and the Washington Co. Regional Correctional Facility will go forward.

THIS, the 27th day of February, 2013.

/s/ Sharion Aycok  
**U.S. DISTRICT JUDGE**