

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

OCTZAVIUS WEAVER

PLAINTIFF

VS.

CIVIL ACTION NO. 1:15cv302-RHW

RODERICK EVANS and LURETTA ADAMS

DEFENDANTS

FINAL JUDGMENT ON JURY VERDICT

This civil action came on for trial before the Court and a jury commencing on the 29th day of November, 2016, The Honorable Robert H. Walker, United States Magistrate Judge presiding., Plaintiff Octzavius Weaver and Defendant Roderick Evans appeared and announced ready for trial. A jury having been duly selected, empaneled and sworn heard the evidence, arguments of counsel and the *pro se* Plaintiff, and the charge of the Court, and on their oath did on the 29th day of November, 2016, for their verdict answered in the negative the following interrogatory:

"Interrogatory No. 1

Do you find by a preponderance of the evidence that Roderick Evans assaulted Octzavius Weaver maliciously and sadistically for the very purpose of causing harm rather than in a good faith effort to maintain or restore discipline?"

This finding obviated the necessity of any further finding as to Defendant Loretta Adams on Weaver's claim of bystander liability against Adams for failing to halt Evans' alleged unconstitutional assault on Weaver. It is therefore,

ORDERED AND ADJUDGED that Octzavius Weaver shall take nothing, and judgment is hereby entered on the jury verdict in favor of the Defendants Roderick Evans and Loretta Adams,

and the action brought by the Plaintiff Octzavius Weaver shall be dismissed with prejudice with all costs assessed to Plaintiff.

SO ORDERED AND ADJUDGED this the 4th day of January, 2017.

/s/ Robert H. Walker

ROBERT H. WALKER
UNITED STATES MAGISTRATE JUDGE