

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

**TIMOTHY WAYNE PAUL, JR.**

**VS.**

**CIVIL ACTION NO. 2:16cv5-KS-MTP**

**SHERIFF DANNY RIGEL, ET AL**

ORDER ADOPTING REPORT AND RECOMMENDATION

This cause came on this date to be heard upon the Report and Recommendation of the United States Magistrate Judge entered herein on July 26, 2016, after referral of hearing by this Court, no objections having been filed as to the Report and Recommendation, and the Court, having fully reviewed the same as well as the record in this matter, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation be, and the same hereby is, adopted as the finding of this Court, and it is ordered as follows:

That Plaintiff's claims regarding food and drink provided at the jail are dismissed with prejudice;

That Plaintiff's claims regarding the alleged denial of a reasonable bond and speedy trial are dismissed with prejudice until the *Heck* conditions are met;

That Plaintiff's claims regarding the recreation claims are dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(I) and this dismissal shall count as a strike pursuant to 28 U.S.C. § 1915(g); and

That Plaintiff's claims regarding protective custody and the medical unit are dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

A separate Judgment will be entered herein in accordance with this order as

required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 11<sup>th</sup> day of August, 2016.

*s/Keith Starrett*

UNITED STATES DISTRICT JUDGE