

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

JAMES C. WINDING

PLAINTIFF

VS.

CIVIL ACTION 3:13cv385 TSL-JMR

**TYEASE EVAN; F. SHAW; F. OVALLE;
R. RICE; D. SMITH; MTC, INC.; R. DAVIS;
MICHAEL WHITE; E.L. SPANKMEN;
ANTHONY COMPTON; JIM NORRIS; JUDGE
KEITH BALL; CHRISTOPHER EPPS; D. HUGGIN(S);
M. POWE; H. HOLLIE; A. HODGSON; V. RIVERA;
AND L. PRUDE**

DEFENDANTS

ORDER

This cause came on this date to be heard upon the report and recommendation of United States Magistrate John M. Roper, and the court, having fully reviewed the report and recommendation entered in this cause on August 12, 2013, along with petitioner's objections thereto, 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 of United States Magistrate Judge John M. Roper entered on August 12, 2013, be, and the same is hereby adopted as the finding of this court.

IT IS FURTHER ORDERED that the [6] motion of defendant Judge Ball to dismiss claims brought against him under Section 1983 is hereby granted, and that plaintiff's [9] motion to strike is hereby denied.

SO ORDERED this the 5th day of September, 2013.

/s/Tom S. Lee

UNITED STATES DISTRICT JUDGE