

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

COLBY DENNIS SHEPPARD,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-16-998-M
)	
GARFIELD COUNTY JAIL,)	
)	
Defendant.)	

ORDER

On September 8, 2016, United States Magistrate Judge Bernard M. Jones issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging violations of plaintiff’s federal constitutional rights. The Magistrate Judge recommended that this action be dismissed without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which § 1983 relief may be granted and that plaintiff’s Application for Leave to Proceed In Forma Pauperis be denied as moot. Plaintiff was advised of his right to object to the Report and Recommendation by September 29, 2016. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 6] issued by the Magistrate Judge on September 8, 2016;
- (2) DISMISSES this action without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which § 1983 relief may be granted, and
- (3) DENIES plaintiff’s Application for Leave to Proceed In Forma Pauperis [docket no. 2] as MOOT.

IT IS SO ORDERED this 13th day of October, 2016.


VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE