

Upon review of the record, the Court concurs with Magistrate Judge Mitchell's suggested disposition of Linzy's original complaint. Accordingly, the Court

(1) ADOPTS the Report and Recommendation, see Doc. 14, issued on November 29, 2016;

(2) DISMISSES without prejudice Linzy's claims against ODOC and his claims for monetary relief against Bryant in his official capacity;

(3) AGREES that amendment should be permitted in this instance; and

(4) in light of the amended complaint, see Doc. 15, file-stamped December 8, 2016, RE-REFERS this matter to Magistrate Judge Mitchell for further proceedings.

ENTERED this 12th day of December, 2016.


LEE R. WEST
UNITED STATES DISTRICT JUDGE