

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

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| <p>ANTHONY NELSON,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p>v.</p> <p>W.B. MELTON, <i>et al.</i>,</p> <p style="padding-left: 40px;">Defendants.</p> | <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> | <p>No. 2:12-cv-0120</p> <p>Judge Sharp</p> <p>Magistrate Judge Griffin</p> |
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ORDER

Plaintiff Anthony Nelson, a prisoner proceeding *pro se* and *in forma pauperis*, filed a Complaint on December 26, 2012, against multiple defendants, wherein he sought damages under 42 U.S.C. § 1983 for alleged violations of his civil rights that occurred while he was confined at the Overton County Justice Center in Livingston, Tennessee. *See* (Docket Entry No. 1, Complaint).

Pending before the Court is a Motion for Summary Judgment filed by Defendants W.B. Melton, Shannon Harvey, Ethan Bean, and Donnie Allred (Docket Entry No. 37). Plaintiff filed a response in opposition (Docket Entry Nos. 53, 54).

Magistrate Judge Griffin entered an exhaustive Report and Recommendation (“R & R”) (Docket Entry No. 55) in this case on December 4, 2013, recommending Defendants’ “Motion for Summary Judgment (Docket Entry No. 37) be GRANTED and that this action be DISMISSED WITH PREJUDICE.” (*Id.* at 15). Further, the Magistrate Judge recommended that any appeal “NOT be certified under 28 U.S.C. § 1915(a)(3) as taken in good faith.” (*Id.*).

An objection was made to the R & R by Plaintiff on December 19, 2013. *See* (Docket Entry No. 58). Having thoroughly reviewed the record in this case and the applicable law in accordance with Rule 72(b), the Court will accept the R & R.

Accordingly, the Court hereby rules as follows:

(1) The Report and Recommendation (Docket Entry No. 55) is hereby ACCEPTED and APPROVED;

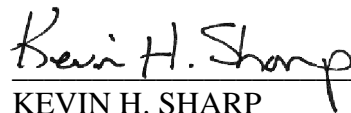
(2) The Motion for Summary Judgment filed by Defendants W.B. Melton, Shannon Harvey, Ethan Bean, and Donnie Allred (Docket Entry No. 37) is hereby GRANTED;

(3) This case is hereby DISMISSED WITH PREJUDICE; and

(4) Any appeal of this Order shall not be certified under 28 U.S.C. § 1915(a)(3) as taken in good faith.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE