



of force violations when prison officials employ force against inmates refusing to comply with orders. *See, e.g., Baldwin v. Salder*, 137 F.3d 836, 840-41 (5th Cir. 1998); *Thomas v. Comstock*, 222 F. App'x 439 (5th Cir. Mar. 16, 2007); *Johnson v. Hammill*, 2010 WL 1189497 (E.D. Tex. Mar. 23, 2010). The defendants' actions were objectively reasonable and they are entitled to qualified immunity.

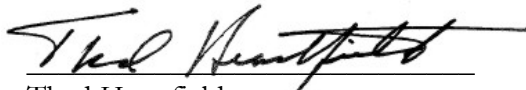
As to plaintiff's claims of conspiracy, plaintiff has failed to support his allegations with any facts demonstrating an agreement between the defendants to deprive him of his constitutional rights nor has he shown an actual deprivation of his constitutional rights. *See Young v. Biggers*, 938 F.2d 565, 569 (5th Cir. 1992).

To the extent plaintiff now argues the defendants violated BOP policy, this claim similarly lacks merit. *Taylor v. Howards*, 268 F.3d 1063, \*1 (5th Cir. July 1, 2001) (citing *Myers v. Klevenhagen*, 97 F.3d 91, 94 (5th Cir. 1996)) (alleged failure to follow prison rules and regulations does not give rise to a constitutional violation).

#### ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A Partial Judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

**SIGNED** this the 12 day of June, 2018.

  
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Thad Heartfield  
United States District Judge