

JAN 22 2013

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JULIA C. DOOLEY, CLERK  
BY:   
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<b>ROBERT E. SAMPSON,</b>	)	<b>Civil Action No. 7:12cv00244</b>
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>FINAL ORDER ADOPTING</b>
	)	<b>REPORT AND RECOMMENDATION</b>
	)	
<b>JACK LEE, et al.,</b>	)	<b>By: Samuel G. Wilson</b>
<b>Defendants.</b>	)	<b>United States District Judge</b>

Robert E. Sampson, a Virginia inmate proceeding *pro se*, brings this action pursuant to 42 U.S.C. § 1983, alleging claims arising from a trip and fall in the recreation yard from which he suffered an injury to his ankle, the subsequent medical treatment he received for his ankle injury, and a 14-day period during which he was removed from a no-pork special diet. Defendants Young and the Medical Department of Middle River Regional Jail filed a motion to dismiss and all the defendants, including Young and the Medical Department, filed a motion for summary judgment. The court referred the matter to United States Magistrate Judge Pamela Meade Sargent for a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge subsequently filed a report, finding that Sampson failed to state a constitutional claim against defendant Young, that the Medical Department of Middle River Regional Jail is not a recognized entity subject to suit in a § 1983 action, and that Sampson's claims against the defendants have no merit. Accordingly, the Magistrate Judge recommends that the court grant defendants' motions to dismiss and for summary judgment. Neither party has filed objections to the Magistrate Judge's Report and Recommendation within the time allotted. Having reviewed the Magistrate Judge's Report and Recommendation and pertinent portions of the record, the court agrees with the Magistrate Judge's recommendation.

Accordingly, it is hereby **ORDERED** and **ADJUDGED** that the Magistrate Judge's Report and Recommendation (Docket No. 68) is **ADOPTED** in its entirety; defendants' motion to dismiss (Docket No. 55) is **GRANTED**; defendants' motion for summary judgment (Docket No. 57) is **GRANTED**; and this matter is **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order to the parties.

**ENTER:** This 22<sup>nd</sup> day of January, 2013.

  
\_\_\_\_\_  
United States District Judge