

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

JACOB SPRADLIN,

Plaintiff,

v.

CIVIL ACTION NO. 3:16-8968

WEST VIRGINIA REGIONAL
JAIL AUTHORITY,

Defendant.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court grant the Jail Authority's Motion to Dismiss (ECF No. 9); deny Spradlin's Motion to Not Dismiss (ECF No. 13); dismiss the complaint against the Jail Authority, with prejudice, and remove this matter from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **GRANTS** the Jail Authority's Motion to Dismiss (ECF No. 9); **DENIES** Spradlin's Motion to Not Dismiss (ECF No. 13); **DISMISSES** the complaint against the Jail Authority, **with prejudice**, and **REMOVES** this matter from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: June 6, 2017



ROBERT C. CHAMBERS, CHIEF JUDGE