

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

**HUNTINGTON DIVISION**

MARK ANTHONY JACKSON, II,

Plaintiff,

v.

CIVIL ACTION NO. 3:22-0452

UNIT MANAGER MOORE, et al.,

Defendants.

**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 recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted Findings of Fact and recommended that Defendant Warner's Motion to Dismiss (ECF No. 20), and Defendants Aldridge, Moore, and Petticrew's Motions to Dismiss (ECF Nos. 23, 38) be granted; Plaintiff's Complaint (ECF No. 2) be dismissed; and this action removed from the docket of this Court. No objections to the Magistrate Judge's findings and recommendations have been filed.

Accordingly, the Court accepts and incorporates herein the findings and recommendations of the Magistrate Judge and **ORDERS** that Defendant Warner's Motion to Dismiss (ECF No. 20), and Defendants Aldridge, Moore, and Petticrew's Motions to Dismiss (ECF Nos. 23, 38) be **GRANTED**; Plaintiff's Complaint (ECF No. 2) be **DISMISSED**; and this action be **REMOVED** from the docket of this 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: May 31, 2023

A handwritten signature in black ink, appearing to read 'R. C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE