

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

CECIL WAYNE GLENN,)
vs.)
Plaintiff,)
vs.) 7:07-cv-2199-LSC-JEO
DOCTOR JAMES WHITLEY)
and NURSE MILLER,)
Defendants.)

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on February 2, 2009, recommending that the defendants' motion for summary judgment be granted and this cause be dismissed with prejudice. The plaintiff filed objections to the report and recommendation on February 24, 2009. Plaintiff claims again that he was denied necessary medical treatment.(Doc.#35)

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants'

motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

Done this 28th day of April 2009.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
153671