

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

PATRICIA CORBIN, as Executor of)	
the Estate of Nicholas G. Cody,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACT. NO. 2:10cv596-CSC
)	
SHERIFF ANDY R. HUGHES, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM OPINION and ORDER

This case was originally filed in the Circuit Court of Houston County, Alabama, and the plaintiff named as a defendant the Houston County Sheriff’s Department. On July 13, 2010, the defendants removed this action to this court. A county sheriff’s department “is not a legal entity and, therefore, is not subject to suit or liability under section 1983.” *Dean v. Barber*, 951 F.2d 1210, 1214 (11th Cir. 1992). On September 2, 2010, the court ordered the plaintiff to show cause why her claims against the Houston County Sheriff’s Department should not be dismissed pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(I). *See* Doc. # 21. On September 16, 2010, the plaintiff consented to the dismissal of her claims against the Houston County Sheriff’s Department. *See* Doc. # 22.

Pursuant to 28 U.S.C. § 636(c)(1) and M.D. Ala. LR 73.1, the parties have consented to the United States Magistrate Judge conducting all proceedings in this case and ordering the entry of final judgment. Based on the plaintiff’s response to the court’s order (doc. # 22), and for good cause, it is

