

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

EVANS RUSS, JR.,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:11-cv-658-TMH
)	[wo]
JASON ARNETTE, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On August 30, 2011, the Magistrate Judge issued a Recommendation (Doc. 6) to which no timely objections were made. Upon an independent review of the record and upon consideration of the Recommendation of the Magistrate Judge, it is the ORDER, JUDGMENT and DECREE that:

1. The Recommendation (Doc. 6) is ADOPTED.
2. Plaintiff's unlawful and illegal arrest and seizure claims be DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii);
3. Plaintiff's § 1983 conspiracy claim be DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(i); and
4. this case be DISMISSED prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B).

DONE this 27th day of September, 2011.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE