

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

WILLIAM LAMAR LOLLEY, #135690,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 1:11cv778-TMH
	)	(WO)
HOUSTON COUNTY JAIL, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On September 30, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 10). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED as follows that:

1. The Recommendation be and is hereby ADOPTED.
2. The plaintiff’s claims against the Houston County Jail be and are hereby DISMISSED with prejudice prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
3. The plaintiff’s claims for monetary damages against Douglas Valeska be and are hereby DISMISSED with prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) and (iii).
4. The plaintiff’s challenges to the constitutionality of his incarceration with respect to either pending or completed criminal proceedings be and are hereby DISMISSED without prejudice in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii).
5. The Houston County Jail and Douglas Valeska be and are hereby DISMISSED as defendants in this cause of action.

6. This case, with respect to the plaintiff's claims against defendants Andy Hughes, Jayson Smoke, and Lt. Moris regarding conditions of confinement at the Houston County Jail, be and are hereby REFERRED BACK to the Magistrate Judge for appropriate proceedings.

Done this the 10<sup>th</sup> day of November 2011.

/s/ Truman M. Hobbs

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TRUMAN M. HOBBS  
SENIOR UNITED STATES DISTRICT JUDGE