

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

SOLOMON L. HENDERSON,)
)
Plaintiff,)
)
v.)
)
SOUTHERN HEALTH)
PARTNERS, *et al.*,)
)
Defendants.)

CASE NO. 1:16-CV-881-WKW
[WO]

ORDER

On November 17, 2016, the Magistrate Judge filed a Recommendation (Doc. # 5) to which no timely objections have been filed. Upon an independent review of the record and upon consideration of the Recommendation, it is ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 5) is ADOPTED;
2. Plaintiff’s complaint against Defendant Officer Tumby is DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(i);
3. Plaintiff’s complaint against Defendants Southern Health Partners, Tony Helms, James Kelly, and Commander Dillon is DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii);

4. The Clerk of the Court shall terminate Defendants Officer Tumby, Southern Health Partners, Tony Helms, James Kelly, and Commander Dillon as parties to the complaint; and
5. This case regarding the remaining Defendant, Nurse Jasmine Andrews, is referred back to the Magistrate Judge for further proceedings.

DONE this 13th day of December, 2016.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE