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

CODY LEE FULGHAM,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 1:17-CV-237-WKW
	)	
KIM TURNER, *et al.*,	)	
	)	
Defendants.	)	

CODY LEE FULGHAM,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 1:17-CV-269-WKW
	)	
ANDY HUGHES, *et al.*,	)	
	)	
Defendants.	)	

ORDER

On May 25, 2017, the Magistrate Judge filed a Recommendation to which no timely objections have been filed. (Doc. # 4.) Upon an independent review of the record and consideration of the Recommendation, it is ORDERED that:

1. The Recommendation of the Magistrate Judge (Doc. # 4) is ADOPTED; and

2. Plaintiff's motion for class certification (Doc. # 1) is DENIED.[1]

With respect to Plaintiff's private claims, this case is REFERRED back to the Magistrate Judge for further proceedings and determination or recommendation as may be appropriate.

DONE this 29th day of June, 2017.

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

[1] Plaintiff's request to represent "unnamed inmates in the Houston County Jail between 2012 and 2017" (Doc. # 1, at 1), which is construed by the court as a motion for class certification, could very well be moot. Since the Recommendation issued, Plaintiff has filed an amended complaint (Doc. # 9) that does not contain language suggesting purported representation of a class. It may be that Plaintiff has heeded the Recommendation and withdrawn his bid for a class action. In any event, whether Plaintiff intended to withdraw his class action claim is immaterial because his motion for class certification is due to be denied on the merits, for the reasons set forth in the Magistrate Judge's Recommendation. (Doc. # 4.)