

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

EDDIE AHMAD HAYES, #233519,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:08-cv-416-MEF
)	
WARDEN GILES, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #47) to the Recommendation of the Magistrate Judge filed on December 3, 2010 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #42) filed on October 28, 2010 is adopted;
3. Defendants Giles and Jenkins' motion for summary judgment on plaintiff's Eighth Amendment claim (Doc. #22) is GRANTED.
4. Defendants' motions for summary judgment on plaintiff's ADA claim (Doc. #13, #14, #22, #32) are GRANTED.
5. Plaintiff's claims against defendants Giles and Jenkins are DISMISSED without prejudice.
6. Defendants Ferrell and James' motions for summary judgment on plaintiff's Eighth

