Smith v. Cedar Crest Nursing and Rehabilitation et al (MAG+) Doc. 18

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

PETER J. SMITH on behalf of Estate of Rosa M. Smith,	)	
Plaintiff,	)	
v.	)	CASE NO. 2:08-cv-580-MEF
	)	WO
CEDAR CREST NURSING AND REHABILITATION, *et al.,*	)	
Defendants.	)	

O R D E R

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

1. The plaintiff's objection (Doc. #17) to the Recommendation of the Magistrate Judge filed on February 17, 2009 is OVERRULED;

2. The Recommendation of the Magistrate Judge (Doc. #14) entered on January 20, 2009 is ADOPTED;

3. This case is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(b)(ii)

DONE this the 24th day of February, 2009.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE

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