

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

|  |   |                                  |
|--|---|----------------------------------|
| ROY FLOYD,                             | ) |                                  |
|  | ) |                                  |
| Plaintiff,                             | ) |                                  |
|  | ) |                                  |
| v.                                     | ) | CIVIL ACTION NO. 2:08-CV-687-TMH |
|  | ) | [WO]                             |
| COVINGTON COUNTY JAIL, <i>et al.</i> , | ) |                                  |
|  | ) |                                  |
| Defendants.                            | ) |                                  |

**ORDER**

On August 29, 2008, the Magistrate Judge filed a Report and Recommendation (Doc. #4) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is ORDERED that:

1. The Recommendation (Doc. #4) of the Magistrate Judge is ADOPTED;
2. Plaintiff Spears be DISMISSED as a party to this complaint prior to service of process;
3. This case be referred back to the magistrate judge for further proceedings.

Done this the 7<sup>th</sup> day of October, 2008.

/s/ Truman M. Hobbs  
SENIOR UNITED STATES DISTRICT JUDGE