

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

BILLY DWIGHT ESCO, #243453,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:08cv764-TMH
	)	
DR. CORBIER, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**OPINION and ORDER**

On September 22, 2008, the Magistrate Judge filed a Recommendation 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 as follows:

1. That the Recommendation be and is hereby ADOPTED.
2. That the plaintiff’s claims against the Alabama Department of Corrections and Richard Allen be and are hereby DISMISSED prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
3. That the Alabama Department of Corrections and Richard Allen be and are hereby DISMISSED as a defendants in this cause of action.
4. That the plaintiff’s claims against defendants Corbier and Williams be and are hereby REFERRED BACK to the Magistrate Judge for appropriate proceedings.

Done this the 24<sup>th</sup> day of October 2008.

/s/ Truman M. Hobbs

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TRUMAN M. HOBBS  
SENIOR UNITED STATES DISTRICT JUDGE