Couch v. Fitzpatrick et al (INMATE1) Doc. 28

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

JOHNNIFER COUCH, #228987,	)	
	)	
Plaintiff,	)	
	)	
v.	)	2:08-CV-859-MHT
	)	[WO]
	)	
OFFICER FITZ PATRICK, *et al.*,	)	
	)	
Defendants.	)	

ORDER

This litigation is now before the court on the recommendation of the United States Magistrate Judge entered on December 18, 2008 (Doc. No. 15). It is ORDERED that the recommendation is adopted as follows:

1. Plaintiff's motion to dismiss (Doc. No. 13) is granted;
2. The claims against defendant Officer Fitz Patrick are dismissed with prejudice;
3. Defendant Officer Fitz Patrick is dismissed as a party to this cause of action; and
4. This case, with respect to the plaintiff's claims against the remaining defendants, is referred back to the magistrate judge for additional proceedings.

DONE, this 30th day of January, 2009.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE

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