

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

DAVID THOMAS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:09cv318-TMH
	)	(WO)
MONTGOMERY COUNTY	)	
DETENTION FACILITY, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**OPINION and ORDER**

This litigation is now before the court on the recommendation of the United States Magistrate Judge entered on April 14, 2009, (doc. # 4), that this case be dismissed. After a review of the recommendation, to which no timely objections have been filed, and after an independent review of the entire record, the court believes that the recommendation should be adopted. Accordingly, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED; that the plaintiff’s complaints against the Montgomery County Detention Facility and Lowndes County Detention Facility be and are hereby DISMISSED with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i); that the plaintiff’s access to the courts claims be and are hereby DISMISSED with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and that this case be and is hereby DISMISSED prior to service of process.

An appropriate judgment will be entered.

Done this the 11th day of May 2009.

/s/ Truman M. Hobbs

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TRUMAN M. HOBBS  
SENIOR UNITED STATES DISTRICT JUDGE