

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

DARRIUS BRYANT BELL, #149992,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:09-cv-1076-MEF
)	WO
JAMES EDWARD SPENCER, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

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

1. The plaintiff's objection (Doc. #21) to the Recommendation of the Magistrate Judge filed on February 16, 2010 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #16) entered on January 25, 2010 is adopted;
3. That plaintiff's challenge to the revocation of his probation is DISMISSED without prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(ii).
4. This case is referred back to the Magistrate Judge for further proceedings.

DONE this the 24th day of February, 2010.

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