

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

JONATHAN A. BLANTON, SR.,)
AIS #228318,)
)
Plaintiff,)
)
v.)
)
EASTERLING CORRECTIONAL)
FACILITY, *et al.*,)
)
Defendants.)

CASE NO. 2:10-cv-031-TMH
[WO]

ORDER

The Magistrate Judge entered a Recommendation (Doc. #5) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED that the RECOMMENDATION (Doc. #5) of the Magistrate Judge is ADOPTED. It is further

ORDERED that

- a. Plaintiff's claims against the Easterling Correctional Facility are DISMISSED with prejudice pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(i);

- b. the Easterling Correctional Facility is DISMISSED as a defendant in this cause of action;
- c. Plaintiff's allegations of threatening and derogatory language are DISMISSED with prejudice in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i); and
- d. this case, with respect to the equal protection, due process, and use of force claims lodged against Defendants Davenport, Drake, Campbell, and Bell, is REFERRED back to the Magistrate Judge for appropriate proceedings.

Done this 3rd day of March, 2010.

/s/ Truman M. Hobbs

UNITED STATES DISTRICT JUDGE