

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

BARRETT GREEN, #245 124,)	
)	
Plaintiff,)	
)	
v.)	2:10-CV-436-ID
)	WO
DIXIE C. BOUTWELL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On August 23, 2010, the Magistrate Judge filed a Recommendation (Doc.13) 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 that:

1. The Recommendation (Doc. 13) of the Magistrate Judge is ADOPTED;
2. The § 1983 claims presented against Defendants Thomas Head and William Moore be DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i);
3. Plaintiff’s challenge to the constitutionality of his conviction and/or sentence entered against him by the Circuit Court for Pike County be summarily DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) as such claims are not properly before the court at this time; and
4. This case be DISMISSED prior to service of process.

Done this 16th day of September, 2010.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE