

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

JAMES HAROLD MADISON, AIS #163664)	
)	
Plaintiff,)	
)	
v.)	2:10-CV-610-TMH
)	WO
ALA. DEPT. OF CORRECTIONS, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On July 20, 2010, the Magistrate Judge filed a Recommendation (Doc. 4) 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. 4) of the Magistrate Judge is ADOPTED;
2. Plaintiff's claims against the Alabama Department of Corrections be DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);
3. The Alabama Department of Corrections be DISMISSED as a defendant in this cause of action; and,
4. This case with respect to the allegations set forth against the remaining defendants, be referred back to the magistrate judge for additional proceedings.

Done this 20th day of September, 2010.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE