

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

RAYMOND P. OWENS, #214918,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:10cv652-TMH
	)	
CORRECTIONAL MEDICAL SERVICES,	)	
et al.,	)	
	)	
Defendants.	)	

**ORDER AND OPINION**

On September 9, 2010, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 7). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that:

1. The plaintiff’s claims against the Alabama Department of Correction is DISMISSED with prejudice pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(I).
2. The Alabama Department of Correction is DISMISSED as a defendant in this cause of action.
3. The plaintiff’s challenges to the constitutionality of the medical treatment provided to him during his incarceration at the Southeast Correctional Center

in Basile, Louisiana and the private correctional facility in Perry County, Alabama are DISMISSED without prejudice.

4. Defendants Copes and Stridel are DISMISSED as parties to this cause of action.
5. This case, with respect to the allegations set forth against the remaining defendants, are referred back to the Magistrate Judge for appropriate proceedings.

Done this the 29<sup>th</sup> day of September, 2010.

/s/ Truman M. Hobbs

---

SENIOR UNITED STATES DISTRICT JUDGE