

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

EXIE TURPIN, #244 727)	
)	
Plaintiff,)	
)	
v.)	2:10-CV-1094-ID
)	(WO)
THE ALABAMA DEPARTMENT OF)	
CORR., CLASSIFICATION)	
DIVISION, <i>et al.</i>)	
)	
Defendants.)	

ORDER

Before the court are the Recommendation of the Magistrate Judge, (Doc. #8), and Plaintiff's Objection, (Doc. #10). Having conducted a *de novo* determination of those portions of the Recommendation to which objections are made, it is CONSIDERED and ORDERED as follows:

1. Plaintiff's Objection (Doc. #10) be and the same is hereby OVERRULED;
2. The Recommendation of the Magistrate Judge (Doc. #8) be and the same is hereby ADOPTED, APPROVED and AFFIRMED;
3. The Plaintiff's claims against the Alabama Department of Corrections, Classification Division, be DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);
4. The Alabama Department of Corrections, Classification Division, be

DISMISSED as a party to this complaint; and

5. This case with respect to the remaining defendants be referred back to the United States Magistrate Judge for additional proceedings.

DONE this the 7th day of February, 2011.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE