

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

| | | |
|-----------------------------|---|---------------|
| NATHANIEL HAYES, #172136 |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | 2:11-CV-38-ID |
| |) | 2:11-CV-44-ID |
| ALA. DEPT. OF CORRECTIONS |) | (WO) |
| COMMISSIONER, <i>et al.</i> |) | |
| |) | |
| Defendants. |) | |

ORDER

Before the court are the Recommendation of the Magistrate Judge, (Doc. #25), and Plaintiff's Objection, (Doc. #34). 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. #34) be and the same is hereby OVERRULED;
2. The Recommendation of the Magistrate Judge (Doc. #25) be and the same is hereby ADOPTED, APPROVED and AFFIRMED;
3. The motion for preliminary injunction (Doc. #8) be and the same is hereby denied;
4. This case be and the same is hereby REFERRED back to the United States Magistrate Judge for additional proceedings as appropriate.

DONE this the 17th day of February, 2011.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE