

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

ROBERT TERRELL YEAGER, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 CAPT. A.J. HARDY, *et al.*, )  
 )  
 Defendants. )

CASE NO. 2:11-cv-039-ID

**ORDER**

The Magistrate Judge entered a Recommendation (Doc. #7) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED as follows:

- a. The Recommendation of the Magistrate Judge is ADOPTED;
- b. Plaintiff’s claims against the Montgomery City Jail are DISMISSED with prejudice, prior to service of process, pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i); and

- c. This case, with respect to the remaining Defendants, is REFERRED back to the Magistrate Judge for additional proceedings.

Done this 23<sup>rd</sup> of February, 2011.

/s/ Ira DeMent  
SENIOR UNITED STATES DISTRICT JUDGE