

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

RONALD VATEDRO WEATHERLY,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:11-cv-087-TMH
)	WO
MONTGOMERY CITY COMMISSION,)	
<i>et al.</i> ,)	
)	
Defendants.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objections (Doc. #10) to the Recommendation of the Magistrate Judge filed on March 18, 2011 are overruled;
2. The Recommendation of the Magistrate Judge (Doc. #9) filed on March 11, 2011 is adopted;
3. Plaintiff's complaint against the Montgomery City Police Department and the Montgomery City Commission is DISMISSED with prejudice prior to service of process in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i).
4. Defendants Montgomery City Police Department and the Montgomery City Commission are DISMISSED as parties to the complaint.
5. This case with respect to the remaining defendant is referred back to the Magistrate Judge for further proceedings.

DONE this the 13th day of June, 2011.

/s/ Truman M. Hobbs
SENIOR UNITED STATES DISTRICT JUDGE