

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

RODNEY MCKENZIE, #229 611	)	
	)	
Plaintiff,	)	
	)	2:11-CV-97-ID
v.	)	
	)	(WO)
ALABAMA DEPARTMENT OF	)	
CORRECTIONS,	)	
	)	
Defendant.	)	

**ORDER**

Before the court are the Recommendation of the Magistrate Judge, (Doc. #4), and Plaintiff’s Objections, (Docs. #5, #7). 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 Objections (Docs. #5, #7) be and the same are hereby OVERRULED;
2. The Recommendation of the Magistrate Judge (Doc. #4) be and the same is hereby ADOPTED, APPROVED and AFFIRMED;
3. The Plaintiff’s complaint against the Alabama Department of Corrections be and the same is hereby DISMISSED with prejudice prior to service of process pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

DONE this the 22nd day of March, 2011.

/s/ Ira DeMent

SENIOR UNITED STATES DISTRICT JUDGE