

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

CARL EDWARD MILLER,)
)
Plaintiff,)
)
v.)
)
COVINGTON CO. JAIL, et al.,)
)
Defendants.)

CIVIL ACTION NO. 2:11cv209-ID

ORDER AND OPINION

On March 24, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. No. 5). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that plaintiff's claims against the Covington County 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 that this party is DISMISSED as a defendant to the complaint.

It is further

ORDERED that this case with respect to the remaining defendants is referred back to the Magistrate Judge for additional proceedings.

Done this the 14th day of April, 2011.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE