

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

RANDALL DWIGHT STONE,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:11-cv-523-MEF
)	
KILBY CORRECTIONAL FACILITY,)	
<i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On September 26, 2011, the Magistrate Judge filed a Recommendation (Doc. # 24) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED;
2. Plaintiff's claims against the Kilby Correctional Facility and "Captain Kilby Correctional Facility" be DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);
3. The Kilby Correctional Facility and "Captain Kilby Correctional Facility" are DISMISSED as parties to this complaint;
4. This case with respect to the remaining Defendants is referred back to the Magistrate Judge for additional proceedings.

DONE this 31st day of October, 2011.

/s/ Mark E. Fuller

 UNITED STATES DISTRICT JUDGE