

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

TICCARRIO SMITH, #246613,	)	
	)	
Plaintiff,	)	
	)	
	)	CASE NO. 2:11-CV-731-WHA
	)	
STATE OF ALABAMA, et al.,	)	
	)	
Defendants.	)	

**ORDER**

On September 15, 2011, the Magistrate Judge issued a Recommendation (Doc. 3) to which no timely objections were made. Upon an independent review of the record and upon consideration of the Recommendation of the Magistrate Judge, it is the ORDER, JUDGMENT and DECREE that:

1. The Recommendation (Doc. 3) is ADOPTED.
2. The motion for preliminary injunction filed by the plaintiff is DENIED.
3. This case with respect to the claims against the remaining defendant be referred back to the Magistrate Judge for appropriate proceedings

DONE this 17th day of October, 2011.

/s/ W. Harold Albritton  
SENIOR UNITED STATES DISTRICT JUDGE