

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

WILLIE JAMES BARBER,	)	
AIS # 273254,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIV. ACT. NO. 2:11cv1044-TMH
	)	(WO)
CAPTAIN BABERS, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**OPINION and ORDER**

On March 16, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 27). 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 as follows that:

1. The Recommendation of the Magistrate Judge be and is hereby ADOPTED;
2. The Plaintiff's claims against the Alabama Department of Corrections be and are hereby DISMISSED with prejudice prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);
3. The Alabama Department of Corrections be and is hereby DISMISSED as a defendant in this cause of action; and
4. This case with respect to the remaining defendants be and is hereby REFERRED BACK to the Magistrate Judge for further proceedings.

Done this the 13<sup>th</sup> day of April 2012.

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