

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

SHAWN DEWAYNE MCGRAW,	)	
#169 528,	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:11-CV-1086-TMH
	)	[WO]
CHRISTOPHER PREER, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

The Magistrate Judge entered a Recommendation (Doc. #10) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the court finds that the Recommendation should be adopted. Accordingly, it is

ORDERED that:

1. The RECOMMENDATION (Doc. #10) of the Magistrate Judge is ADOPTED;
2. Plaintiff’s complaint against Defendant Clay is DISMISSED with prejudice prior to service of process under 28 U.S.C. § 1915(e)(2)(B)(i);
3. Plaintiff’s complaint against Defendant Nun is DISMISSED without prejudice prior to service of process under 28 U.S.C. § 1915(e)(2)(B)(ii); and
4. This case, with respect to the remaining defendant, is referred back to the Magistrate Judge for further proceedings.

Done this 8<sup>th</sup> day of March, 2012.

/s/ Truman M. Hobbs

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SENIOR UNITED STATES DISTRICT JUDGE