

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

RICKY LEE WEBB, JR., #246707,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:12cv559-WHA
	)	
ALA. DEPT. OF CORRECTIONS, et al.,	)	
	)	
Defendants.	)	

**ORDER AND OPINION**

On July 5, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 7). 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:

1. The plaintiff's claims against the Alabama Department of Corrections are **DISMISSED** with prejudice pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(I).
2. The Alabama Department of Corrections is **DISMISSED** as a defendant in this action.
3. This case, with respect to the allegations set forth against the remaining defendants, is **REFERRED** back to the magistrate judge for appropriate proceedings.

Done this the 25th day of July, 2012.

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