

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

TIMOTHY PRICE, #172825,)	
)	
Plaintiff,)	
)	
v.)	CIV. ACT. NO. 2:12cv567-TMH
)	(WO)
WARDEN AT BULLOCK CORR.)	
FACILITY, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION and ORDER

On August 28, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 13). 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 complaint against the Warden at Bullock Correctional Facility be and is hereby DISMISSED without prejudice and prior to service of process;
3. Defendant Warden at Bullock Correctional Facility be and is hereby DISMISSED as a party to the complaint pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(ii); and
4. This case, with respect to the remaining defendant, be and is hereby REFERRED BACK to the Magistrate Judge for further proceedings.

DONE this the 4th day of October, 2012.

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