

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

MAURICE D. MATTHEWS, #251986,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIV. ACT. NO. 2:12cv794-TMH
	)	(WO)
JOHN WILLIAMS, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**OPINION and ORDER**

On October 4, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 6). 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 Ken Thompson and Stephanie Atchison and his challenge to a lack of transfer to the custody of the Alabama Department of Corrections be and are hereby DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i);
3. The plaintiff's claims against John Williams and Rufus Haralson challenging the conditions of confinement in existence at the Lowndes County Jail be and are hereby REFERRED BACK to the Magistrate Judge for further proceedings.

Done this the 2nd day of November 2012.

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