

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

WILLIAM ELMORE, III, #129236,)	
)	
Plaintiff,)	
)	
v.)	CIV. ACT. NO. 2:12cv796-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. # 12). 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 in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i), and the Alabama Department of Corrections be and is hereby DISMISSED as a defendant in this action;
3. This case, with respect to the allegations set forth against the remaining defendants, be and is 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