

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

ARTHUR GRIGGS, #129969,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:12-cv-0843-TMH
)	WO
KIM TOBIAS THOMAS, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #11) filed on November 5, 2012 to the Recommendation of the Magistrate Judge is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #8) filed on October 4, 2012 is adopted;
3. Plaintiff's complaint against Defendants Thomas, Bentley, and Strange is DISMISSED without prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii); and
4. Plaintiff's complaint against Defendant Patterson, which challenges the alleged unconstitutional conditions of confinement at the Holman Correctional Facility, is TRANSFERRED to the United States District Court for the Southern District of Alabama pursuant to the provisions of 28 U.S.C. § 1404(a) and 28 U.S.C. § 1631.

DONE this the 29th day of November, 2012.

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