

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

DAVID O. OLIVER, #285 230,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:13-CV-14-WKW
)	[WO]
VICTOR NAPIER, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Before the court is the Recommendation of the Magistrate Judge to which no timely objections have been filed. (Doc. # 14.) Based upon an independent review of the record, the court finds that the Recommendation is due to be adopted. Accordingly, it is ORDERED as follows:

(1) Plaintiff’s claims against the Segregation Board of Kilby Correctional Facility are DISMISSED with prejudice prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B);

(2) The Segregation Board of Kilby Correctional Facility is DISMISSED as a party to the complaint; and

(3) This action with respect to the remaining Defendants is REFERRED back to the Magistrate Judge for additional proceedings.

DONE this 19th day of April, 2013.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE