

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

MUHAMMAD AL-AMEEN, #110046,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:13-cv-0086-TMH
)	
KILBY CORRECTIONAL FACILITY,)	
)	
Defendant.)	

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. #5) filed on April 10, 2013 to the Recommendation of the Magistrate Judge is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #4) filed on April 3, 2013 is adopted;
3. The plaintiff's claims against Kilby Correctional Facility be dismissed with prejudice pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(i) as this defendant is not a legal entity subject to suit;
4. The claims regarding actions taken by the receiving officer during the plaintiff's processing into Kilby Correctional Facility be dismissed with prejudice prior to service of process pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(i) as the plaintiff failed to file the complaint within the time prescribed by the applicable period of limitation;

5. The plaintiff's allegations regarding actions taken against him by officials at the St. Clair Correctional Facility be dismissed without prejudice so that the plaintiff can present these claims in a separate 42 U.S.C. § 1983 filed with the United States District Court for the Northern District of Alabama as these claims are beyond the venue of this court;

6. This case be summarily dismissed.

DONE this 17th day of May, 2013.

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