

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

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|-----------------------------------|---|------------------------------|
| TERRY DAVIS, #140 728 |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CASE NO. 2:13-cv-135-TMH-TFM |
| |) | [wo] |
| CORIZON (C.M.S.), <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

OPINION and ORDER

On March 18, 2013, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. No. 3). 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 that the Recommendation of the Magistrate Judge be and is hereby ADOPTED, and that Plaintiff’s claims challenging events which occurred at the Easterling Correctional Facility on or before November 30, 2010 and/or of which he was made aware on or before February 26, 2011 be DISMISSED with prejudice pursuant to the directives of 28 U.S.C. § 1915A as Plaintiff failed to file the complaint with regard to these allegations within the time prescribed by the applicable period of limitation; and Plaintiff’s complaint against Defendants Boyd, Darbouze, and Wilson be DISMISSED with prejudice pursuant to the directives of 28 U.S.C. § 1915A as Plaintiff failed to file the complaint against these defendants within the time prescribed by the

applicable period of limitation; and that Defendants Boyd, Darbouze and Wilson be DISMISSED as parties to this action; and that the remaining § 1983 presented against Defendants Corizon, Barrett, Stubbs, and Hunt, to the extent they are not barred by the applicable statute of limitations, be TRANSFERRED to the United States District Court for the Northern District of Alabama pursuant to the provisions of 28 U.S.C. § 1404.

DONE this 17th day of May, 2013.

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