

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

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|------------------------------------|---|--------------------------|
| THOMAS RADFORD, #156846, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | CASE NO. 2:13-cv-188-MEF |
| |) | |
| KIM TOBIAS THOMAS, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

ORDER

On June 19, 2013, the Magistrate Judge filed a Recommendation (Doc. #33) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The plaintiff's claim challenging his transfer to Bullock in April of 2010 is DISMISSED with prejudice 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.
3. The plaintiff's claims attacking improper transfer of funds from his inmate account and confiscation of postage stamps are DISMISSED with prejudice in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
4. The plaintiff's federal claims challenging the failure of correctional officials to ensure his timely arrival at the funeral of his son are DISMISSED with prejudice pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(i).

5. The plaintiff's claims against the Postmaster of Union Springs, Alabama are DISMISSED with prejudice upon application of 28 U.S.C. § 1915(e)(2)(B)(i) and (iii).

6. The plaintiff's claims against Edna Johnson, K. Jiles, Elizabeth Laseter and the Postmaster of Union Springs, Alabama are DISMISSED with prejudice.

7. Edna Johnson, K. Jiles, Elizabeth Laseter and the Postmaster of Union Springs, Alabama are DISMISSED as defendants in this cause of action.

8. The plaintiff's state law breach of contract claim is DISMISSED from this action without prejudice.

9. The plaintiff's remaining claims for relief be referred back to the Magistrate Judge for additional proceedings.

DONE this the 20th day of August, 2013.

/s/ Mark E. Fuller
UNITED STATES DISTRICT JUDGE