

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

DAVID D. HAMILTON, #136399 )

Plaintiff, )

v. )

CASE NO. 2:13-cv-281-TMH

[wo]

ALABAMA DEPT. OF )  
CORRECTIONS, *et al.*, )

Defendants. )

**OPINION and ORDER**

On July 9, 2013, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. 22). 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; that the Plaintiff’s Motion to Dismiss Defendant Dewayne Este ( Doc. 18) be GRANTED, that Defendant Dewayne Estes be DISMISSED with prejudice as party to this action and the Plaintiff’s claims against the remaining defendants be referred back to the Magistrate Judge for additional proceedings.

Done this the 21st day of August, 2013.

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