

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

BRANDON M. ODEN, #280023,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:13cv388-TMH
)	
COMMISSIONER KIM THOMAS, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER AND OPINION

On July 17, 2013, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 11). 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:

1. Plaintiff's §1983 conspiracy claim against the named Defendants is DISMISSED with prejudice prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);
2. Plaintiff's complaint against Defendants Ward and Montgomery are DISMISSED with prejudice prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);
3. Defendants Ward and Montgomery are DISMISSED as parties to the complaint;

4. This case with respect to the remaining defendants is REFERRED back to the Magistrate Judge for further proceedings.

DONE this 30th day of September, 2013.

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