

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

DAVID BOY FULLER, #147862,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:13-cv-0417-TMH
)	[WO]
LT. NEARER, <i>et al.</i> ,)	
)	
Defendants.)	

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. #13) filed on July 26, 2013 to the Recommendation of the Magistrate Judge is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #6) filed on July 9, 2013 is adopted;
3. Plaintiff's § 1983 claims of inadequate medical care and treatment against Defendants Blair, Donaldson, and McCall are DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i and/or ii);
4. Plaintiff's verbal abuse claim against Defendant Davis is DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);
5. Plaintiff's access to courts claim against Defendant Eastwood is DISMISSED

with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);

6. Defendants Blair, Donaldson, McCall, Davis, and Eastwood are DISMISSED as parties to the complaint;

7. This case with respect to Plaintiff's complaint against the remaining defendants is referred back to the Magistrate Judge for further proceedings.

DONE this the 7th day of October, 2013.

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