

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

FRANKLIN D. COLLINS, JR.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:13-CV-423-WHA
)	
MONTGOMERY COUNTY)	
DETENTION FACILITY, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

The Magistrate Judge entered a Recommendation (Doc. 4) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the court finds that the Recommendation should be adopted. Accordingly, it is

ORDERED that:

1. The Recommendation (Doc. 4) of the Magistrate Judge is ADOPTED;
2. The § 1983 claims presented against the named defendants are DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i);
3. Plaintiff’s challenge to the constitutionality of his confinement and/or conviction imposed upon him by an Alabama state court is DISMISSED without prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) as such claims are not properly before the court at this time; and
4. This case is DISMISSED prior to service of process in accordance with the

provisions of 28 U.S.C. § 1915(e)(2)(B)(i) & (ii).

A separate judgment shall issue.

Done this 22nd day of July, 2013.

/s/ W. Harold Albritton

SENIOR UNITED STATES DISTRICT JUDGE