

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

|                                 |   |                                |
|---------------------------------|---|--------------------------------|
| BILLY WAYNE STANFIELD, #176704, | ) |                                |
|                                 | ) |                                |
| Plaintiff,                      | ) |                                |
|                                 | ) |                                |
| v.                              | ) | CIVIL ACTION NO. 2:13cv452-WHA |
|                                 | ) |                                |
| DR. DARBOUZE, et al.,           | ) | (WO)                           |
|                                 | ) |                                |
| Defendants.                     | ) |                                |

**ORDER**

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #7) and the Plaintiff’s Response (Doc. #8).

In his Response, the Plaintiff states that he has no objection to the recommendation that Easterling Correctional Facility be dismissed as a party, and questions whether he needs to file a new claim. Upon consideration, it is hereby ORDERED as follows:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. Plaintiff’s claims against the Easterling Correctional Facility are DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i), and Easterling Correctional Facility is DISMISSED as a party to this suit.
3. With respect to the remaining Defendants, this case is referred back to the Magistrate Judge for additional proceedings. The Plaintiff does not need to file a new claim, unless he is ordered to do so by the Magistrate Judge.

DONE this 1st day of August, 2013.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE