

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

JOSHA JAMES MOUNT, #247202,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:13cv928-TMH
	)	
ALTHEA C. TOWNSEND, et al.,	)	
	)	
Defendants.	)	

**ORDER AND OPINION**

On January 27, 2014, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 8). 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. The plaintiff’s claims against inmate Dustin Peppers is DISMISSED as frivolous prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
2. Dustin Peppers is DISMISSED as a defendant in this cause of action.
3. This case, with respect to the allegations set forth against defendants Townsend, Freeman and Scott are referred back to the Magistrate Judge for appropriate proceedings.

Done this 5th day of March, 2014.

/s/ W. Harold Albritton  
UNITED STATES DISTRICT JUDGE