

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

WALTER THOMAS, #245421,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:14-CV-45-TMH
)	[WO]
OFFICER LUCIO,)	
MONTGOMERY COUNTY)	
SHERIFF DEPUTY,)	
)	
Defendant.)	

ORDER

On February 14, 2014, the Magistrate Judge filed a Recommendation in this case. (Doc. # 7.) Plaintiff filed an untimely objection on March 20, 2014. (Doc. # 11.) Based upon an independent and *de novo* review of those portions of the Recommendation to which objection is made, 28 U.S.C. § 636(b), it is ORDERED that the objection is OVERRULED on the merits and as untimely, and that the Recommendation of the Magistrate Judge is ADOPTED.

Accordingly, it is ORDERED that Plaintiff's challenge to the constitutionality of medical care he received on December 19, 2011, is DISMISSED with prejudice prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) as this claim is not filed within the time

prescribed by the applicable period of limitations. An appropriate final judgment will be entered separately.

DONE this 31st day of March, 2014.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE