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

| GONZALES HARGROVE, |) |
|--------------------|----------------------------|
| # 158373, |) |
| Plaintiff, |) |
| V. |) CASE NO. 2:14-CV-697-WKW |
| |) |
| KIM T. THOMAS, |) |
| COMMISSIONER, |) |
| |) |
| Defendant. |) |

ORDER

On November 4, 2014, the Magistrate Judge filed a Recommendation. (Doc. # 7.) After a review of the recommendation, to which no timely objections have been filed, and after an independent review of the entire record, it is ORDERED that the recommendation is ADOPTED. Accordingly, it is ORDERED that:

- 1. Plaintiff's § 1983 claims against defendant Kim Thomas are DISMISSED with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii);
- 2. Plaintiff's challenge to the constitutionality of the conditions of his confinement at the Limestone Correctional Facility which occurred from March 2006 through 2009 are DISMISSED with prejudice pursuant to the provisions of 28

U.S.C. § 1915(e)(2)(B)(i) as such claims are not filed within the time prescribed by the applicable period of limitations; and

2. This case is DISMISSED prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B)(i-ii).

An appropriate judgment will be entered.

DONE this 23rd day of December, 2014.

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