

is DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii) as these claims are not properly before the court at this time; and

(5) because a prior Order permitted Plaintiff to amend his complaint (Doc. # 7) after the entry of the Recommendation, this action is REFERRED back to the Magistrate Judge for additional proceedings.

DONE this 12th day of November, 2014.

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