

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

TYRUS JONES, # 287250,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:14cv901-MHT
)	(WO)
KILBY CORRECTIONAL)	
FACILITY, et al.,)	
)	
Defendants.)	

OPINION AND ORDER

Pursuant to 42 U.S.C. § 1983, plaintiff filed this lawsuit asserting that prison officials failed to protect him from an inmate assault. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that several defendants be dismissed. There are no objections to the recommendation. After an independent and de novo review of the record, the court concludes that magistrate judge's recommendation should be adopted.

Accordingly, it is ORDERED as follows:

(1) The recommendation of the United States Magistrate Judge (doc. no. 9) is adopted.

(2) Plaintiff's claims against defendants Kilby Correctional Facility and the Alabama Department of Corrections are dismissed with prejudice, and these defendants are terminated as parties.

(3) Plaintiff's claims against defendants Warden Billups, Warden Clay, and inmate Daniel Thomas are dismissed without prejudice, and these defendants are terminated as parties.

(3) Plaintiff's complaint shall be construed as naming only correctional officers Young and Hardy as defendants.

(4) This case is referred back to the magistrate judge for additional proceedings.

DONE, this the 6th day of November, 2014.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE