

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

ALBERT DAVIS, #175 321,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. 2:16-cv-008-WHA
	)	
MONTGY. COUNTY COMMISSION, et al.,	)	
	)	
Defendants.	)	

**ORDER**

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #6), entered on January 13, 2016. There being no timely objection filed to the Recommendation, and after a review of the file, the Recommendation is ADOPTED, and it is hereby ORDERED as follows:

1. Plaintiff’s complaint against Defendant Montgomery County Commission is DISMISSED with prejudice pursuant to 28 U.S.C. § 1918(e)(2)(B)(i) and (iii).
2. Plaintiff’s complaint against Defendant Quality Correctional Healthcare, Inc. is DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii).
3. Defendants Montgomery County Commission and Quality Correctional Healthcare, Inc. are DISMISSED as parties prior to service of process.
4. This case with respect to the remaining Defendants is referred back to the Magistrate Judge for further proceedings.

DONE this 4th day of February, 2016.

/s/ W. Harold Albritton

W. HAROLD ALBRITTON

SENIOR UNITED STATES DISTRICT JUDGE