

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

WILLIAM LANIER ELLIS, SR., #259380,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 3:09cv655-MHT
	)	(WO)
LORETTA HOLLAND, et al.,	)	
	)	
Defendants.	)	

**ORDER**

On August 26, 2009 (Doc. # 27), the magistrate judge filed a recommendation in this case to which no timely objections have been filed. Upon an independent and de novo review of the file in this case and upon consideration of the recommendation of the magistrate judge, it is ORDERED and ADJUDGED that:

- (1) The recommendation of the magistrate judge (Doc. # 27) is adopted.
- (2) The plaintiff’s motion to dismiss (Doc. # 10) is granted.
- (3) The plaintiff’s claims against defendants Parham and San Nicholas are dismissed with prejudice.
- (4) Defendants Parham and San Nicholas are dismissed as parties to this cause of action.
- (5) This case, with respect to the plaintiff’s claims against the remaining defendants is referred back to the magistrate judge for additional proceedings.

DONE, this the 22nd day of September, 2009.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE