

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

SHANE LOUIS HIGHFILL,)	
)	
Plaintiff,)	
v.)	CASE NO. 3:10-cv-055-TMH
)	WO
OPELIKA POLICE DEPARTMENT, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #16) to the Recommendation of the Magistrate Judge filed on March 26, 2010 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #15) filed on March 15, 2010 is adopted;
3. The plaintiff's claims against the Opelika Police Department are summarily dismissed with prejudice in accordance with the directives of 28 U.S.C. 1915(e)(B)(i) and the Opelika Police Department is DISMISSED as a defendant in this cause of action.
4. This case, with respect to the plaintiff's claims against defendants Garrett, Cargill and Clark, is referred back to the Magistrate Judge for appropriate proceedings.

DONE this the 6th day of April, 2010.

/s/ Truman M. Hobbs

TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE