

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

GENE COGGINS,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:11-CV-0231-WKW [WO]
)	
DEPARTMENT OF HUMAN)	
RESOURCES, <i>et al.</i> ,)	
)	
Defendant.)	

ORDER

On April 26, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 7.) Upon an independent review of the file in this case and upon consideration of the Recommendation, it is ORDERED that the Recommendation is ADOPTED, Plaintiff’s claims are DISMISSED without prejudice, and Plaintiff’s “Motion for Default and Default Judgment” is DENIED (Doc. # 6).

Further, during the pendency of the referral of this case, Plaintiff filed a “Reply to the Illegal Order, Document #3 Dated 03/31/2011” (Doc. # 8), objecting to this court’s referral of his case to the Magistrate Judge pursuant to 28 U.S.C. § 636 (Doc. # 3). Plaintiff’s objection is OVERRULED because this court did not violate Plaintiff’s constitutional rights by referring his case to a magistrate judge as authorized by 28 U.S.C. § 636(b). *See United States v. Raddatz*, 447 U.S. 667, 680-81 (1980) (finding that the Federal Magistrates Act does not violate due process).

DONE this 11th day of May, 2011.

 /s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE