

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

CLYDE H. FRIEND,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIV. ACT. NO. 3:12cv331-TMH
	)	(WO)
RUSSELL COUNTY SHERIFF	)	
DEPT., <i>et al.</i> ,	)	
	)	
Defendants.	)	

**OPINION and ORDER**

On April 26, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 5). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED as follows that:

1. The Recommendation of the Magistrate Judge be and is hereby ADOPTED;
2. The claims challenging conditions present at the Russell County Jail from September 18, 2008 until April 5, 2010 be and are hereby DISMISSED with prejudice in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) as the plaintiff failed to file the complaint within the time prescribed by the applicable period of limitation;
3. The plaintiff’s claims against Russell County Sheriff Department be and are hereby DISMISSED with prejudice pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(i);

4. The Russell County Sheriff Department and the Russell County Jail be and are hereby DISMISSED as defendants in this cause of action; and

5. This case, with respect to the plaintiff's claims against defendants Taylor and Holland challenging conditions of the Russell County Jail since April 6, 2010, be and is hereby REFERRED BACK to the Magistrate Judge for further proceedings.

Done this the 18th day of May 2012.

/s/ Truman M. Hobbs  
SENIOR UNITED STATES DISTRICT JUDGE