

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

JESSE WAYNE SKIPPER, II, #274558,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 3:12-cv-648-TMH
)	[wo]
LEE COUNTY SHERIFF)	
DEPARTMENT, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION and ORDER

On December 17, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. 23). 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 that the Recommendation of the Magistrate Judge be and is hereby ADOPTED. The Plaintiff’s claims against the Lee County Sheriff’s Department are DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(I). The Lee County Sheriff’s Department is DISMISSED as a party to this cause of action, and the Plaintiff’s claims against the remaining defendants is referred back to the Magistrate Judge for additional proceedings.

DONE this the 6th day of February, 2013.

/s/ Truman M. Hobbs

 TRUMAN M. HOBBS
 SENIOR UNITED STATES DISTRICT JUDGE