

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

|                          |   |                          |
|--------------------------|---|--------------------------|
| ERNEST J. FILES, JR.,    | ) |                          |
|                          | ) |                          |
| Plaintiff,               | ) |                          |
|                          | ) |                          |
| v.                       | ) | CASE NO. 3:14-CV-239-WKW |
|                          | ) |                          |
| ALEXANDER CITY,          | ) |                          |
| ALABAMA, <i>et al.</i> , | ) |                          |
|                          | ) |                          |
| Defendants.              | ) |                          |

**ORDER**

On May 7, 2014, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 15). Upon an independent review of the file in this case and upon consideration of the Recommendation, it is ORDERED that:

- (1) The Recommendation is ADOPTED;
- (2) The § 1983 claims presented against Defendants Tallapoosa County Commission, E. Paul Jones, Damon Lewis, Jeremy Duerr, C. Kim Taylor, Thomas F. Young, Jimmy Abbett, Blake Jennings, Chris Nail, Tina Walker, Barbara Young, Charles Raford, Louise Pritchard, Sharon Culligan, Charles Gillenwaters, and the City of Alexander

City are DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(i)(ii) and/or (iii);

- (3) Defendants Tallapoosa County Commission, E. Paul Jones, Damon Lewis, Jeremy Duerr, C. Kim Taylor, Thomas F. Young, Jimmy Abbett, Blake Jennings, Chris Nail, Tina Walker, Barbara Young, Charles Raford, Louise Pritchard, Sharon Culligan, Charles Gillenwaters, and the City of Alexander City are DISMISSED as parties to the complaint;
- (4) Plaintiff's false imprisonment claim is DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii);
- (5) Plaintiff's claim against Defendant Steve Hay is REFERRED back to the Magistrate Judge for further proceedings.

DONE this 29th day of May, 2014.

/s/ W. Keith Watkins  
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CHIEF UNITED STATES DISTRICT JUDGE