

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

VANDRE MINNIFIELD,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 3:17-CV-455-WKW
)	[WO]
LEE COUNTY, OPELIKA)	
POLICE DEPARTMENT, and)	
PHILLIP O. TYLER,)	
)	
Defendants.)	

ORDER

Before the court is the Recommendation of the Magistrate Judge. (Doc. # 4.) There being no timely objection filed to the Recommendation, and based on an independent review of the record, it is ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 4) is ADOPTED;
2. Plaintiff’s 42 U.S.C. § 1983 claims against Defendants Opelika Police Department and Phillip O. Tyler are DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(i);
3. Plaintiff’s 42 U.S.C. § 1983 claims against Defendant Lee County are DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii); and

4. This case is DISMISSED prior to service of process under 28 U.S.C. § 1915(e)(2)(B)(i)–(ii).

A final judgment will be entered separately.

DONE this 10th day of October, 2017.

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