

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

EARNEST J. FILES, JR., )  
Plaintiff, )  
v. ) CIV. ACT. NO. 3:17cv615-ECM  
CLAYTON KIM TAYLOR, *et al.*, )  
Defendants. )

## ORDER

On July 10, 2019, the Magistrate Judge entered a Recommendation recommending that defendants Abbott, McMichael, Jennings, and Nail's motion to dismiss be granted. (Doc. 56). On September 11, 2019, the plaintiff filed objections to the Recommendation of the Magistrate Judge. (Doc. 59). The Court has carefully reviewed the record in this case, the Recommendation of the Magistrate Judge, and the plaintiff's objections. Upon an independent review of the file in this case and for good cause, it is

ORDERED as follows:

1. that the Plaintiff's objections are OVERRULED;
2. that the Recommendation of the Magistrate is ADOPTED;
3. that defendants Abbett, McMichael, Jennings, and Nail's motion to dismiss is GRANTED, and the Plaintiff's amended complaint against these defendants is DISMISSED with prejudice.
4. that these defendants are DISMISSED as parties to this action; and

5. that this case with respect to the remaining defendants is REFERRED back to the Magistrate Judge for further proceedings.

DONE this 10th day of October, 2019.

/s/ Emily C. Marks  
EMILY C. MARKS  
CHIEF UNITED STATES DISTRICT JUDGE