

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

EARNEST J. FILES, JR., #107834,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.: 3:17-cv-615-ECM
	)	
EDGAR PAUL JONES, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**OPINION and ORDER**

Now pending before the court is the Recommendation of the Magistrate Judge (doc. 66) recommending that the remaining unserved defendants be dismissed. 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 is ADOPTED.
2. The Plaintiff's claims against Defendants Brandi Hardaway, Edgar Jones, Damon Lewis, William Grant, and Erin McWaters are DISMISSED without prejudice for Plaintiff's failure to effect service on these individuals in accordance with applicable procedural rules;
3. Defendants Brandi Hardaway, Edgar Jones, Damon Lewis, William Grant, and Erin McWaters are TERMINATED as parties to the amended complaint; and
4. There being no defendants remaining to this cause of action, this matter is DISMISSED.

A Final Judgment will be entered separately.

Done this 23rd day of March, 2020.

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

Done, this \_\_\_\_ day of \_\_\_\_\_ 2020.

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