

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

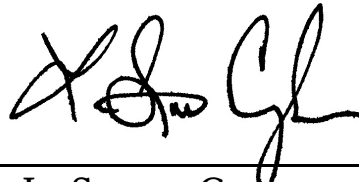
TONY EUGENE GRIMES,)	
)	
Plaintiff,)	
)	
vs.)	2:12-cv-01909-LSC-RRA
)	
KIM T. THOMAS, et al.,)	
)	
Defendants.)	

ORDER

The magistrate judge filed a report and recommendation on January 14, 2013, recommending that plaintiff's claims against the Alabama Department of Corrections and W.E. Donaldson Correctional Facility be dismissed pursuant to 28 U.S.C. § 1915A(b)(1) and/or (2). (Doc. 14.) It was further recommended that plaintiff's Fourteenth Amendment due process and equal protection claims against Defendants Thomas and Price be dismissed pursuant to 28 U.S.C. § 1915A(b)(1) and/or (2). Last, the magistrate judge recommended that plaintiff's Eighth Amendment conditions of confinement claims against Defendants Thomas and Price be referred to the magistrate judge for further proceedings. No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the magistrate judge's recommendation is ACCEPTED. It is therefore ORDERED, ADJUDGED, and DECREED that all of plaintiff's claims in this action except his Eighth Amendment conditions of confinement claims against Defendants Thomas and Price are DISMISSED pursuant to 28 U.S.C. § 1915A(b). It is further ORDERED that plaintiff's Eighth Amendment conditions of confinement claims against Defendants Thomas and Price are REFERRED to the magistrate judge for further proceedings.

Done this 5th day of February 2013.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
[160704]