

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

JANICE C. BURRELL,

Plaintiff,

vs.

INFIRMARY WEST,

Defendant.

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CIVIL ACTION 09-00325-KD-B

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised and a de novo determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. §636(b)(1)(B) and dated February 11, 2010 is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that Plaintiff’s Amended Complaint be **ALLOWED**, that Defendant’s Motion to Dismiss be **GRANTED** in part and **DENIED** in part, and that Plaintiff’s claims alleging violations under Title 18 U.S.C. §§ 241 and 242, Title 42 U.S.C. § 1985(2) and (3), and the First, Fifth, and Fourteenth Amendments be **DISMISSED**.

DONE and ORDERED this the **1st** day of **March 2010**.

/s/ Kristi K. DuBose

KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE