

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

JOE HENRY SCOTT, #258485,	:	
Plaintiff,	:	
vs.	:	CIVIL ACTION 09-0590-WS-C
ALABAMA DEPARTMENT OF CORRECTIONS,	:	
Defendant.	:	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections raised, the Report and Recommendation of the Magistrate Judge dated January 6, 2010 and made pursuant 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that plaintiff's existing claims are **DISMISSED WITHOUT PREJUDICE** and his motions to amend (Docs. 9 & 10) are **DENIED**. It is further **ORDERED** that plaintiff's motion for a preliminary injunction (Doc.11) be and is hereby **DENIED**. Plaintiff may file a new complaint that names or properly identifies those suable entities that he claims are responsible for the injuries suffered if said complaint is filed within sixty (60) days of the entry of this Order.

DONE this 3rd day of February, 2010.

s/WILLIAM H. STEELE

UNITED STATES DISTRICT JUDGE