

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

<b>ANTHONY N. JONES, #112734,</b>	:	
<b>Plaintiff,</b>	:	
<b>vs.</b>	:	<b>CIVIL ACTION 09-0835-CG-M</b>
<b>GRANTT CULLIVER, <u>et al.</u>,</b>	:	
<b>Defendants.</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) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that the claims against Defendants Culliver, Patterson, Folk, and Hicks be dismissed without prejudice, prior to service of process, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief can be granted; that the claims against Defendants White, Thomas, and Marks be dismissed without prejudice for lack of venue; and that the request for a preliminary injunction be denied as moot. It is further **ORDERED** that this action proceed in regard to the claims against the other Defendants.

**DONE and ORDERED** this 23rd day of August, 2010.

/s/ Callie V. S. Granade  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE