

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

JAMES MILLER, AIS # 160788, :

Plaintiff, :

vs. : **CIVIL ACTION 12-0474-WS-C**

BALDWIN COUNTY, et al., :

Defendants. :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, 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 for compensatory and punitive damages be and are hereby **DISMISSED** without prejudice for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and that the claims for injunctive and declaratory relief be and are hereby **DISMISSED** as moot.

DONE this 10th day of April, 2013.

s/WILLIAM H. STEELE

CHIEF UNITED STATES DISTRICT JUDGE