

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

ZACHERY WILSON,	:	
Plaintiff,	:	
	:	
	:	
vs.	:	CIVIL ACTION 14-337-CB-M
	:	
EMILY WHITTLE, <i>et al.</i> ,	:	
Defendants.	:	
	:	

ORDER

After due and proper consideration of the issues raised, and there having been no objections filed, the 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 Plaintiff Zachery Wilson's claims for Eighth Amendment conditions of confinement against Defendant Whittle, and his claims for supervisory liability and due process violations as alleged against Defendants Meyers, Howard and Fails be and are hereby DISMISSED without prejudice as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). The remaining of Plaintiff's claims for excessive force and medical care claims shall be allowed to proceed with service.

DONE this 13<sup>th</sup> day of November, 2014.

s/Charles R. Butler, Jr.  
Senior United States District Judge