

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

WAYNE ALLEN DARROUGH,	:	
	:	
Plaintiff,	:	1:13-CV-57 (WLS)
	:	
v.	:	
	:	
WARDEN MARTY ALLEN, et. al.,	:	
	:	
Defendants.	:	
	:	

ORDER

Before the Court is a Recommendation of Dismissal from United States Magistrate Judge Thomas Q. Langstaff, filed April 18, 2013. (Doc. 6.) Plaintiff filed the above-captioned matter pursuant to 42 U.S.C. § 1983. Judge Langstaff recommends that Plaintiff’s Complaint (Doc. 1) be permitted to proceed as against all defendants with the exception of the Georgia Department of Corrections, who is not a “person” for the purpose of § 1983. (Doc. 6 at 3-4.) No objections were filed within the fourteen-day period provided pursuant to 28 U.S.C. § 636(b)(1). The objection period expired on May 2, 2013. (*See* Doc. 6 at 4; Docket).

Upon full review and consideration upon the record, the Court finds that said Recommendation of Dismissal (Doc. 6) should be, and hereby is, **ACCEPTED**, **ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Therefore, Plaintiff’s Complaint (Doc. 1) is **DISMISSED** as against the Georgia Department of Corrections. Plaintiff may proceed with his Complaint against Defendants Warden Marty Allen, Deputy Warden Jerry Jefferson, and Deputy Warden Artis Singleton.

SO ORDERED, this 8th day of October, 2013.

/s/ W. Louis Sands
THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT