

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

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|-----------------------------|---|------------------------------------|
| DIAGO MONTAGE WILLIAMS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CIVIL ACTION NO. 5:10-CV-194 (MTT) |
| |) | |
| NURSE BUSH, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

ORDER

This case is before the Court on the Order and Recommendation (Doc. 5) of United States Magistrate Judge Claude W. Hicks, Jr. on Plaintiff Diago Montage Williams’ civil rights complaint (Doc. 1) under 42 U.S.C. § 1983. The Magistrate Judge recommends dismissing Defendants Nurse Bush, Steve Roberts, and James Donald from the action because the Plaintiff has failed to allege valid claims for damages against these individuals. The Magistrate Judge has added current Washington State Prison Warden David Frazier as a Defendant and ordered that Warden Frazier be served, allowing only the Plaintiff’s claim for injunctive relief to go forward. The Plaintiff has filed an objection to the Recommendation (Doc. 7). Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered the Plaintiff’s Objection and has made a de novo determination of the portions of the Recommendation to which the Plaintiff objects.

The Court has reviewed the Recommendation, and the Recommendation is adopted and made the order of this Court. Defendants Nurse Bush, Steve Roberts, and

James Donald are dismissed from the action, and current Washington State Prison Warden David Frazier shall be added as a defendant. Only the Plaintiff's claim for injunctive relief shall remain pending.

SO ORDERED, this the 31st day of August, 2010.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT