

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

NELSON EARL MITCHELL,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	No. 5:13-CV-32 (CAR)
DR. JOSEPH FOWLKES, et al.,	:	
	:	
Defendants.	:	
	:	

**ORDER ON THE RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

Before the Court is the Order and Recommendation of the United States Magistrate Judge [Doc. 8] to dismiss Defendants Warden Carl Humphrey, Sharon Lewis, and Ricky Foskey from Plaintiff Nelson Earl Mitchell's 42 U.S.C. § 1983 civil rights action, pursuant to 28 U.S.C. § 1915(a). Plaintiff has not entered an objection to the Recommendation, and the time in which to do so has expired. Upon review of the Recommendation and consideration of Plaintiff's Complaint, the Court agrees with the findings and conclusions of the United States Magistrate Judge. The Recommendation [Doc. 8] is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**. Plaintiff's claims against Defendants **WARDEN CARL HUMPHREY, SHARON LEWIS, and RICKY FOSKEY** are hereby **DISMISSED**. In accordance with the Order and

Recommendation, Plaintiff's claims against Defendant DR. JOSEPH FOWLKES and NURSE DAWN SMITH shall go forward.

SO ORDERED, this 29th day of March, 2013.

S/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

LMH