

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

RICKY GLENDALL DAVIS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:09CV274-HEH
)	
TIMOTHY A. SMITH, <i>et al.</i> ,)	
)	
Defendants.)	

**ORDER
(Dismissing Certain Claims; Ordering Service of Amended Complaint)**


In accordance with the accompanying Memorandum Opinion, it is hereby ORDERED
that:

1. Plaintiff's Objections to the Report and Recommendation are OVERRULED;
2. The Report and Recommendation is ACCEPTED AND ADOPTED with respect to Plaintiff's original Complaint;
3. Claims One, Three, Four, Five, and Six of the Amended Complaint are DISMISSED WITHOUT PREJUDICE;
4. Plaintiff shall have 120 days to serve all Defendants;
5. The Clerk is DIRECTED to issue process for Defendants at the addresses provided by Plaintiff; and,
6. The Marshal is DIRECTED to serve Defendants in accordance with Federal Rule of Civil Procedure 4(e). Service shall include a copy of this Memorandum Opinion and Order. The Marshal shall FILE his returns within thirty (30) days of the date of entry hereof.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion and Order to Plaintiff.

And it is so ORDERED.

Date: Jan. 22, 2010
Richmond, Virginia

<p> /s/ Henry E. Hudson United States District Judge</p>
