

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

DARRIN KEITH JOHNSON, # 261453,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:10cv1098-TMH
	)	
KENNETH SCONYERS, et al.,	)	
	)	
Defendants.	)	

**ORDER AND OPINION**

On May 3, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 24). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that:

1. The plaintiff's motion to dismiss is GRANTED.
2. This case is DISMISSED without prejudice.
3. No costs taxed herein.

Done this the 1<sup>st</sup> day of June, 2011.

/s/ Truman M. Hobbs

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TRUMAN M. HOBBS  
SENIOR UNITED STATES DISTRICT JUDGE