

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

ALONZO AUSTIN)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	3:06cv1010-MHT
)	(WO)
MBNA AMERICA,)	
)	
Defendant.)	

JUDGMENT

In accordance with the opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court that claimant Alonzo Austin's complaint is dismissed without prejudice for lack of jurisdiction, pursuant to Rule 12(h)(3) of the Federal Rules of Civil Procedure.

It is further ORDERED that costs are taxed against plaintiff Austin, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 16th day of November, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE