

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

JOSEPH SCOTT TOPPING, #202189,)	
)	
Plaintiff,)	
)	
vs.)	CIV. ACT. NO. 1:20-cv-606-TFM-MU
)	
JEFFERSON S. DUNN, et al.,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

On October 19, 2021, the Magistrate Judge entered a Report and Recommendation which recommends this action be dismissed prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B). *See* Doc. 20. No objections were filed. As such, the matter is ripe for review.

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge (Doc. 20) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action is **DISMISSED without prejudice**, prior to service of process, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i-ii) or, alternatively, for failure to obey the Court's order under Fed. R. Civ. P. 41(b).

A separate judgment will be entered.

DONE and **ORDERED** this 1st day of December, 2021.

/s/Terry F. Moorner
TERRY F. MOORER
UNITED STATES DISTRICT JUDGE