

THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

RAYMOND MATHIS, #140252,)
)
Plaintiff,)
v.)
)
JASON SMOAK,)
)
Defendant.)

CASE NO. 1:08-CV-548-MEF
[WO]

ORDER

On November 21, 2008, the Magistrate Judge filed a Report and Recommendation (Doc. 19) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is ORDERED that:

1. The Recommendation (Doc. 19) of the Magistrate Judge is ADOPTED;
2. The defendant's motion for summary judgment is GRANTED;
3. Judgment is GRANTED in favor of defendant Smoak; and
3. This case is DISMISSED with prejudice.

DONE this the 24th day of December, 2008.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE