

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

TERRENCE POUNCEY,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 1:08-cv-652-TMH
	)	WO
OFFICER NELSON, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #25) to the Recommendation of the Magistrate Judge filed on January 5, 2009 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #24) filed on December 19, 2008 is adopted;
3. The complaint in this case is DISMISSED without prejudice for plaintiff's failure to prosecute this case and to comply with the order of this court that he provide a service address for defendants Nelson and Peters, the only defendants remaining in this case, and the resulting failure to perfect service on these individuals.

DONE this 22nd day of January, 2009.

/s/ Truman M. Hobbs

---

TRUMAN M. HOBBS  
SENIOR UNITED STATES DISTRICT JUDGE