

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

JANIE P. KINSEY,)	
)	
Plaintiff,)	
v.)	CASE NO. 1:11-cv-166-MEF
)	WO
ASSURANCE AMERICA INSURANCE)	
COMPANY,)	
)	
Defendant.)	

ORDER

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

1. The plaintiff's Motion for a Jury Demand (Doc. #10) filed on April 19, 2011 which the Court construes to an objection to the Recommendation of the Magistrate Judge is overruled;

2. The Recommendation of the Magistrate Judge (Doc. #9) filed on April 8, 2011 is adopted;

3. This case is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and (ii), and that the defendant's motion to dismiss is DENIED as moot.

DONE this the 25th day of April, 2011.

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