

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

ROBERT EARL PHILLIPS, #278325,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIV. ACT. NO. 1:12cv78-WHA
	)	(WO)
DOUGLAS VALESKA, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**OPINION and ORDER**

On August 13, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 13). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED, and that this case be and is hereby DISMISSED without prejudice for the plaintiff's failures to prosecute this action and comply with the orders of this court.

Done this the 5th day of September 2012.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE