

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

JAMES L . BOYINGTON,)
)
Plaintiff,)
)
v.)
)
LEEPOSEY DANIELS, WARDEN, et al.,)
)
Defendants.)

CIVIL ACTION NO. 2:07cv30-MHT
(WO)

ORDER

On November 21, 2008, the magistrate judge filed a recommendation in this case to which no timely objections have been filed. Upon an independent and de novo 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 (Doc. # 15) is adopted and that:

1. Defendants' motion for summary judgment (Doc. # 11) is granted;
2. Judgment is entered in favor of defendants and against plaintiff, with plaintiff taking nothing by his complaint;
3. The costs of this proceeding are taxed against plaintiff, for which execution may issue.

DONE, this the 16th day of December, 2008.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE