

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

DARIUS DIGGS, #239 179,)
)
 Plaintiff,)
)
 v.)
)
 SGT. SMITH, *et al.*,)
)
 Defendants.)

CASE NO. 1:07-CV-816-WKW

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge (Doc. # 23), and upon an independent review of the file, it is ORDERED that the Recommendation is adopted and that this case is DISMISSED without prejudice.

DONE this 25th day of June, 2009.

 /s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE