

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

JAMES A. SMITH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:08-cv-393-MHT
	)	(WO)
ALLTEL COMMUNICATIONS,	)	
INC.,	)	
	)	
Defendant.	)	

ORDER

The magistrate judge entered a recommendation (Doc. #41) in this case to which no timely objections have been filed. After a review of the recommendation and after an independent and de novo review of the entire record, the court believes that the recommendation should be adopted. Accordingly, it is ORDERED that:

- (1) The recommendation (Doc. #41) of the magistrate judge is adopted.
- (2) Defendant’s motion for summary judgment (Doc. #31) is granted.

A separate judgment shall be entered.

Done this 23rd day of November, 2009.

          /s/ Myron H. Thompson            
UNITED STATES DISTRICT JUDGE