

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

| | | |
|------------------------|---|--------------------------------|
| JAMES R. BROWN, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CIVIL ACTION NO. 2:08cv707-TMH |
| |) | |
| BILL FRANKLIN, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER AND OPINION

On November 21, 2008, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 12). 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 is DISMISSED without prejudice for plaintiff's failures to comply with the orders of the court and to prosecute this action.

Done this the 24th day of December, 2008.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE