

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

TITO T. DAVIS, # 250373,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:08cv840-TMH
)	(WO)
LEPOSY DANIELS, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION and ORDER

This litigation is now before the court on the recommendation of the United States Magistrate Judge entered on December 10, 2008, (Doc. # 10), that this case be dismissed. After a review of the recommendation, to which no timely objections have been filed, and after an independent review of the entire record, the court believes that the recommendation should be adopted. Accordingly, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED; that the plaintiff’s federal claims be and are hereby DISMISSED with prejudice prior to service of process in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i); that the plaintiff’s state law claims be and are hereby DISMISSED without prejudice; and that this case be and is hereby DISMISSED.

An appropriate judgment will be entered.

Done this the 30th day of December, 2008.

/s/ Truman M. Hobbs

TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE