

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

| | | |
|--------------------------------|---|---------------------------|
| ANDRE JERMAINE SYKES, #247501, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | CASE NO. 2:08-cv-0844-MEF |
| |) | |
| SYLVESTER NETTLES, |) | |
| |) | |
| Defendant. |) | |

ORDER

On April 1, 2009, the Magistrate Judge filed a Recommendation (Doc. #16) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. This case is DISMISSED without prejudice.

DONE this the 24th day of April, 2009.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE