

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

JOHNNIFER COUCH, #228987,)	
)	
Plaintiff,)	
)	
v.)	2:08-CV-859-MHT
)	[WO]
OFFICER FITZPATRICK, et al.,)	
)	
Defendants.)	

OPINION

This litigation is now before the court on the recommendation of the United States Magistrate Judge entered on September 18, 2009 (Doc. 42), that this case should be dismissed without prejudice due to plaintiff’s abandonment of his claims and his failure to comply with the orders of this court and to properly prosecute this cause of action.

After a review of the recommendation, to which plaintiff did not object, and after an independent review of the entire record, the court believes that the recommendation should be adopted. An appropriate judgment will be entered.

DONE, this the 20th day of October, 2009.

**/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE**