

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

NEDOLANDEZ LEON SANTOS,	)	
#140 896	)	
	)	
Plaintiff,	)	
	)	
v.	)	2:09-CV-166-TMH
	)	[WO]
	)	
KEVIN RUDOLPH,	)	
	)	
Defendant.	)	

**ORDER**

On May 5, 2009, the Magistrate Judge filed a Recommendation (Doc. 12) 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 ORDERED that:

1. The Recommendation (Doc. 12) of the Magistrate Judge is ADOPTED;
2. The plaintiff's *Motion to Dismiss* (Doc. 10) be GRANTED; and
3. This case be DISMISSED without prejudice.

An appropriate judgment will be entered.

Done this 1<sup>st</sup> day of June, 2009.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE