

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

RICHARD DARON KENNEDY, #196984)

)

Plaintiff,)

v.)

CASE NO. 2:09-cv-275-TMH

)

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EUGENE REESE,)

)

Defendant.)

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. # 5) to the Recommendation of the Magistrate Judge filed on April 22, 2009 is overruled;

2. The Recommendation of the Magistrate Judge (Doc. #4) filed on April 16, 2009 is adopted;

3. This case is DISMISSED with prejudice prior to service of process in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i), (ii) and (iii).

DONE this 1st day of May, 2009.

/s/ Truman M. Hobbs

TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE