

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

KIMESA SHALANDA SMITH, #263068, )

Plaintiff, )

v. )

CIVIL ACTION NO. 2:09cv282-TMH

FRANK ALBRIGHT, et al., )

Defendants. )

**ORDER AND OPINION**

On September 9, 2010, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 4). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that this case is DISMISSED without prejudice for Smith's failure to comply with the orders of this court and her failure to properly prosecute this action.

Done this the 29<sup>th</sup> day of September, 2010.

/s/ Truman M. Hobbs

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SENIOR UNITED STATES DISTRICT JUDGE