

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

MACK STOKES, #192 523	*	
Plaintiff,	*	
v.	*	2:09-CV-332-TMH
		(WO)
KILBY CORRECTIONAL FACILITY, <i>et al.</i> ,	*	
Defendants.	*	

**RECOMMENDATION OF THE MAGISTRATE JUDGE**

Plaintiff filed this complaint on March 11, 2009. On May 7, 2009 he filed a motion to dismiss the complaint. Upon review of the file in this case, the court concludes that Plaintiff's motion to dismiss is due to be granted. *See* Rule 41(a)(1), *Federal Rules of Civil Procedure*.

Accordingly, it is the RECOMMENDATION of the Magistrate Judge that Plaintiff's motion to dismiss be GRANTED and that this case be DISMISSED without prejudice.

It is further

ORDERED that the parties are DIRECTED to file any objections to the Recommendation on or before **June 4, 2009**. Any objections filed must specifically identify the findings in the Magistrate Judge's Recommendation to which a party objects. Frivolous, conclusive or general objections will not be considered by the District Court. The parties are

