

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

ROY LEE McATEER, #147346,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION NO. 2:09cv361-MEF
)	
TROY KING,)	
)	
Defendant.)	
-----)	
ROY LEE McATEER, #147346,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION NO. 2:09cv676-MEF
)	
RICHARD ALLEN, et al.,)	
)	
Defendants.)	

ORDER AND OPINION

On May 4, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 110). 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:

1. The plaintiff’s motion to dismiss is GRANTED.
2. Case No. 2:09cv676-MEF is DISMISSED with prejudice, as the claims raised therein are moot.
3. This case shall henceforth proceed only the claims raised in the complaint filed

in Case No. 2:09cv361-MEF.

Done this the 29th day of May, 2012.

/s/ Mark E. Fuller
UNITED STATES DISTRICT JUDGE