

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

|                              |   |                 |
|------------------------------|---|-----------------|
| DARREN LLOYD EASTERLING,     | ) |                 |
|                              | ) |                 |
| Plaintiff,                   | ) |                 |
|                              | ) |                 |
| v.                           | ) | 2:09-CV-437-TMH |
|                              | ) | [WO]            |
|                              | ) |                 |
| KEVIN DAVIS, <i>et al.</i> , | ) |                 |
|                              | ) |                 |
| Defendants.                  | ) |                 |

**ORDER**

On June 10, 2009, the Magistrate Judge filed a Recommendation (Doc. 10) 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. 10) of the Magistrate Judge is ADOPTED; and
2. This case be DISMISSED without prejudice for Petitioner’s failures to comply with the orders of the Court and to prosecute this action.

An appropriate judgment will be entered.

Done this 29th day of June, 2009.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE