

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

| | | |
|------------------------------|---|-------------------------------|
| BILLY DWIGHT ESCO, # 243253, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CIVIL ACTION NO. 2:09cv583-ID |
| |) | (WO) |
| STATE OF FLORIDA, |) | |
| |) | |
| Defendant. |) | |

OPINION and ORDER

This litigation is now before the court on the recommendation of the United States Magistrate Judge entered on August 12, 2009, (Doc. No. 6), that the plaintiff's motion to dismiss be granted and that this case be dismissed. After a review of the recommendation, to which no timely objections have been filed, and after an independent review of the entire record, the court believes that the recommendation should be adopted. Accordingly, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED, the plaintiff's motion to dismiss be and is hereby GRANTED and that this case be and is hereby DISMISSED without prejudice.

An appropriate judgment will be entered.

Done this the 3rd day of September, 2009.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE