

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

RASHAD LEE, #213823,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:09cv879-MHT
	)	(WO)
L.B. SMITHART, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On April 19, 2010, the magistrate judge filed a recommendation in this case to which no timely objections have been filed. Upon an independent and de novo 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 (Doc. # 21) is adopted and that this case is dismissed with prejudice prior to service of process.

DONE, this the 12th day of May, 2010.

/s/ MYRON H. THOMPSON  
UNITED STATES DISTRICT JUDGE