

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

BYRON KEITH CANNON, #254 379,)
)
Petitioner,)
)
v.)
)
STATE OF ALABAMA, *et al.*,)
)
Respondents.)

CASE NO. 2:09-cv-992-ID
[WO]

ORDER

On January 6, 2010, the Magistrate Judge entered a Recommendation (Doc. No. 6) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED that the RECOMMENDATION of the Magistrate Judge be and the same is hereby ADOPTED. It is further

ORDERED that this case be and the same is hereby DISMISSED without prejudice due to Petitioner's failure to comply with the order of this Court and to prosecute this action.

Done this 28th day of January, 2010.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE