

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

GEORGE HOEY MORRIS,)
#11672-002)
)
Plaintiff,)
v.)
ALAN NUMMEY, *et al.*,)
Defendants.)

CASE NO. 2:09-CV-1086-ID
(WO)

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection to the Recommendation of the Magistrate Judge filed on February 16, 2010 (Doc. No. 9), is overruled;
2. The Recommendation of the Magistrate Judge filed on December 7, 2009 (Doc. No. 3), is hereby ADOPTED, APPROVED and AFFIRMED;
3. The Complaint is hereby DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(A)(b)(1) as the complaint is not filed within the time prescribed by the applicable period of limitations.

DONE this 26th day of February, 2010.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE