

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

| | | |
|-------------------|---|-------------------------|
| DORMY D. SHAW, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CASE NO. 2:10-cv-25-MHT |
| |) | [wo] |
| COSTCO WHOLESALE, |) | |
| |) | |
| Defendant. |) | |

ORDER

On April 13, 2010, the magistrate judge issued a report and recommendation to which no timely objections were made. Upon an independent and de novo review of the record and upon consideration of the recommendation of the magistrate judge, it is the **ORDER, JUDGMENT, and DECREE** that:

- (1) The report and recommendation of the magistrate judge (Doc. 13) is adopted.
- (2) This action is dismissed in its entirety without prejudice for lack of prosecution.
- (3) Defendant’s motion to dismiss and alternative motion for more definite statement (Doc. 4) are denied.

An appropriate judgment will be entered.

DONE, this the 6th day of May, 2010.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE