

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

DAVID M. LEMIEUX,	)	
	)	
Petitioner,	)	
	)	
v	)	Civil Action No.2:10cv40-TMH
	)	(WO)
J.A. KELLER,	)	
	)	
Respondent.	)	

**ORDER**

In light of the petitioner’s timely payment of the filing fee in this case, it is  
ORDERED that the Recommendation entered on February 18, 2010 (Doc. 3), be and  
is hereby WITHDRAWN.

Done this 24<sup>th</sup> day of February, 2010.

\_\_\_\_\_  
/s/Wallace Capel, Jr.  
WALLACE CAPEL, JR.  
UNITED STATES MAGISTRATE JUDGE