

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

KINWEN L. STALLWORTH, )  
# 203 660 )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
WARDEN JOHN CUMMINS, et al., )  
 )  
Defendants. )

CIVIL ACTION NO. 2:10cv469-ID

**ORDER AND OPINION**

On January 25, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 25). Upon an independent 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 is hereby ADOPTED and that plaintiff's complaint is DISMISSED without prejudice.

Done this the 17th day of February, 2011.

/s/ Ira DeMent  
SENIOR UNITED STATES DISTRICT JUDGE