

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

MARK ALAN HIMMELBERGER,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:10cv611-MHT
)	(WO)
WILLIAM J. THORNTON,)	
)	
Defendant.)	

JUDGMENT

In accordance with the memorandum opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The United States Magistrate Judge's recommendation (Doc. No. 32) is adopted.

(2) Defendant's motion for summary judgment (Doc. No. 11) is granted.

(3) Judgment is entered in favor of defendant and against plaintiff, with plaintiff taking nothing by his complaint.

It is further ORDERED that costs are taxed against plaintiff, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 3rd day of September, 2013.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE