

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

| | | |
|-------------------------------------|---|--------------------------|
| XABIER JONES, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CASE NO. 2:10-CV-940-WKW |
| |) | |
| CITY OF MONTGOMERY, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

ORDER

On September 6, 2012, the Magistrate Judge filed a Report and Recommendation (Doc. # 48) regarding Defendants' motion to dismiss for want of prosecution (Doc. # 46), Plaintiffs' failure to abide by the Magistrate Judge's Rule 26(f) Order (Doc. # 45), and Plaintiff's failure to respond to the Magistrate Judge's order to show cause (Doc. # 47). No timely objections have been filed. Based upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 48) is ADOPTED; and
2. this case is DISMISSED without prejudice for Plaintiff's failure to prosecute this action.

DONE this 26th day of September, 2012.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE