

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

PETER J. SMITH,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	2:11cv364-MHT
)	(WO)
AUBURN UNIVERSITY and)	
AUBURN UNIVERSITY)	
MONTGOMERY,)	
)	
Defendants.)	

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. 10) is adopted.
- (2) This lawsuit is dismissed without prejudice because plaintiff Peter J. Smith has failed to state a claim upon which relief can be granted and has failed to comply with the orders of the court.

It is further ORDERED that costs are taxed against plaintiff Smith, 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 17th day of August, 2011.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE