

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

WILLIE E. FOSTER, JR.,)	
AIS #238227)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:11-CV-417-ID
)	(WO)
LEEPOSEY DANIELS, et al.,)	
)	
Defendants.)	

ORDER

Before the court are the Recommendation of the Magistrate Judge, (Doc. #4), and Plaintiff’s Objection, (Doc. #5). Having conducted a *de novo* determination of those portions of the Recommendation to which objections are made, it is CONSIDERED and ORDERED as follows:

1. Plaintiff’s Objection (Doc. #5) be and the same is hereby OVERRULED;
2. The Recommendation of the Magistrate Judge (Doc. #4) be and the same is hereby ADOPTED, APPROVED and AFFIRMED;
3. This case be and the same is hereby DISMISSED without prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii).

DONE this the 5th day of August, 2011.

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