

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

JOE S. McCLENTON,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 2:11-cv-542-MEF
	)	
KIM TOBIAS THOMAS, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On September 23, 2011, the Magistrate Judge filed a Recommendation (Doc. # 27) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED;
2. The plaintiff's motion to certify this case as a class action (Doc. # 24) is DENIED; and
3. The case is REFERRED back to the Magistrate Judge for further proceedings.

DONE this 31st day of October, 2011.

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/s/ Mark E. Fuller  
UNITED STATES DISTRICT JUDGE