

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

TIMOTHY WOODS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:11-CV-626-WKW
	)	
STANLEY B. MAXWELL,	)	
	)	
Defendant.	)	

**ORDER**

On September 14, 2011, the Magistrate Judge filed a Recommendation (Doc. # 12) 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, it is ORDERED that

1. The Recommendation is ADOPTED with the modification that this case be DISMISSED without prejudice for lack of subject matter jurisdiction, *Stalley v. Orlando Reg'l Healthcare Sys., Inc.*, 524 F.3d 1229, 1232 (11th Cir. 2008) (per curiam) (“A dismissal for lack of subject matter jurisdiction is not a judgment on the merits and is entered without prejudice.”); and

2. This case is DISMISSED without prejudice for lack of subject matter jurisdiction.

DONE this 30th day of September, 2011.

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