

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

| | | |
|---------------------------|---|--------------------------------|
| TICCARRIO SMITH, #246613, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | CIVIL ACTION NO. 2:11cv731-WHA |
| |) | |
| STATE OF ALABAMA, et al., |) | (WO) |
| |) | |
| Defendants. |) | |

ORDER

No objection having been filed to the Recommendation of the Magistrate Judge (Doc. #7), entered on October 20, 2011, the Recommendation is ADOPTED, and it is hereby

ORDERED that this case is DISMISSED without prejudice for failure of the Plaintiff to pay the initial partial filing fee in accordance with the provisions of 28 U.S.C. § 1915(b)(1)(A) as ordered by the court.

DONE this 15th day of November, 2011.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE