

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

PRESTON KENNER, #136213,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:12cv237-WHA
	)	
WARDEN LEON FORNISS, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**OPINION and ORDER**

This litigation is now before the court on the recommendation of the United States Magistrate Judge entered on July 12, 2013, (doc. # 19), that this case be dismissed with prejudice. After a review of the recommendation, to which no timely objections have been filed, and after an independent review of the entire record, the court believes that the recommendation should be adopted. Accordingly, it is

ORDERED and ADJUDGED as follows that:

1. The Recommendation of the Magistrate Judge be and is hereby ADOPTED;
2. The defendants' motion for summary judgment be and is hereby GRANTED;
3. This case be and is hereby DISMISSED with prejudice; and
4. Costs of this proceeding be and are hereby TAXED against the plaintiff for

which execution may issue.

An appropriate judgment will be entered.

Done this the 1st day of August, 2013.

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