

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

RICKY LEE WEBB, JR., #246707,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:12cv883-TMH
	)	
BERNARD SPANN, et al.,	)	
	)	
Defendants.	)	

**ORDER AND OPINION**

On October 25, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 8). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that:

1. The plaintiff’s motion to dismiss is GRANTED;
2. This case is dismissed without prejudice; and
3. No costs are taxed herein.

Done this the 29th day of November 2012

/s/ Truman M. Hobbs  
 TRUMAN M. HOBBS  
 SENIOR UNITED STATES DISTRICT JUDGE