

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

ELLIS FRANKLIN,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:13-cv-0098-MEF
)	WO
CAPITOL HILL HEALTH CARE,)	
)	
Defendant.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #9) to the Recommendation of the Magistrate Judge filed on April 23, 2013 are overruled;
2. The Recommendation of the Magistrate Judge (Doc. #8) entered on May 6, 2013 is adopted;
3. This case is DISMISSED without prejudice for plaintiff's failure to state a claim on which relief may be granted and his failure to prosecute this action and comply with the orders of this Court.

DONE this the 15th day of May, 2013.

/s/ Mark E. Fuller
UNITED STATES DISTRICT JUDGE