

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

RAYMOND D. HASTINGS, #135351, )  
 )  
Plaintiff, )  
 )  
v. ) CASE NO. 2:13-CV-418-WHA  
 ) (WO)  
KENNETH DRAKE, )  
 )  
Defendant. )

**ORDER**

This cause is before the court on the Recommendation of the Magistrate Judge filed on August 24, 2016 (Doc. #95). There being no timely objection to the Recommendation, and after an independent review of the file, it is hereby ORDERED as follows:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The defendant's motion for judgment as a matter of law is GRANTED and Judgment is GRANTED in favor of defendant Kenneth Drake.
3. This case is DISMISSED with prejudice.
4. Costs are taxed against the plaintiff.
5. Final Judgment will be entered in accordance with this order.

DONE this 19th day of October, 2016.

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