

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

MARVIN FRANKLIN-EL, #205016,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 2:14-cv-170-MEF
	)	WO
KIM TOBIAS THOMAS, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On July 1, 2014, the Magistrate Judge filed a Recommendation (Doc. #17) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. This case is DISMISSED without prejudice for plaintiff's failure to pay the initial partial filing fee in accordance with the provisions of 28 U.S.C. § 1915(b)(1)(A) as ordered by this Court.

DONE this the 22<sup>nd</sup> day of July, 2014.

\_\_\_\_\_  
/s/ Mark E. Fuller  
UNITED STATES DISTRICT JUDGE