

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

XAVIER JOHNSON, #222878, )  
 )  
 Plaintiff, )  
 )  
 vs. ) CASE NO. 2:14cv403-WHA  
 )  
 KIM TOBIAS THOMAS, ) (WO)  
 )  
 Defendant. )

**ORDER**

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #7), entered on July 30, 2014. There being no timely objection filed to the Recommendation, and after a review of the file, the Recommendation is ADOPTED, and it is hereby

ORDERED that this case is DISMISSED without prejudice for failure of the Plaintiff to file an amended complaint as ordered by the court. Final Judgment will be entered accordingly.

DONE this 21st day of August, 2014.

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