

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

CHRISTOPHER SURLES, #299284,)
)
Plaintiff,)
)
v.)
)
ALABAMA DEPARTMENT OF)
CORRECTIONS, *et al.*,)
)
Defendants.)

CASE NO. 2:16-CV-809-WKW

ORDER

On December 1, 2016, the Magistrate Judge filed a Recommendation that this case be dismissed without prejudice for Plaintiff’s failure to prosecute the action properly and comply with the orders of the court. (Doc. # 5.) To that point, the court’s orders had been mailed to the wrong correctional facility—it turns out Plaintiff was moved from Easterling to Ventress after he filed suit. Despite having no obligation to do so, the court, in an effort to ensure Plaintiff was given proper notice of the threat of dismissal, ordered the clerk to send a copy of all relevant orders to Plaintiff’s address at Ventress and restarted the objections period. (Doc. # 6.) Since that time, the period has run and no objections have been filed. Accordingly, it is ORDERED that:

1. The Magistrate Judge’s Recommendation (Doc. # 5) is ADOPTED; and

2. This case is DISMISSED without prejudice for Plaintiff's failure to prosecute the action properly and comply with the orders of the court.

A final judgment will be entered separately.

DONE this 2nd day of February, 2017.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE