

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

DAVID DAVIS, )  
 )  
 Plaintiff, ) CIVIL ACTION NO.  
 v. ) 2:17cv436-MHT  
 ) (WO)  
 DERRICK CARTER, Warden, )  
 )  
 Defendant. )

**JUDGMENT**

In accordance with the memorandum opinion entered today, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The United States Magistrate Judge's recommendation (doc. no. 4) is adopted.

(2) This lawsuit is dismissed without prejudice.

It is further ORDERED that costs are taxed against plaintiff, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 31st day of August, 2017.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE