

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

WANDA F. PAYNE,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 3:08-cv-0462-MEF
	)	
CITY OF ALEXANDER CITY,	)	
	)	
Defendant.	)	

**ORDER**

On January 15, 2009, the Magistrate Judge filed a Recommendation (Doc. #39) 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. The defendant's motion for summary judgment (Doc. #35) is GRANTED and that judgment will be entered in favor of the defendant and against the plaintiff.

DONE this the 17th day of February, 2009.

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/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE