

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

DARRELL WIMBERLY,

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Plaintiff,

)

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v.

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3:10-CV-590-TMH

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[WO]

)

JONATHAN BAILEY,

)

)

Defendant.

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**ORDER**

On July 20, 2010, the Magistrate Judge filed a Recommendation (Doc. 4) 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 ORDERED that:

1. The Recommendation (Doc. 4) of the Magistrate Judge is ADOPTED, and
2. This case be DISMISSED with prejudice prior to service of process under 28 U.S.C. § 1915(e)(2)(B)(i).

An appropriate judgment will be entered.

Done this 20th day of September, 2010.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE