

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

CHARLES ALEXANDER ELLINGTON,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 3:11-cv-592-TMH
)	
JIMMY ABBETT, et al.,)	
)	
Defendants.)	

ORDER

On July 28, 2011, the Magistrate Judge issued a Recommendation (Doc. 4) to which no timely objections were made. Upon an independent review of the record and upon consideration of the Recommendation of the Magistrate Judge, it is the ORDER, JUDGMENT and DECREE that:

1. The Recommendation (Doc. 4) is ADOPTED.
2. This case is dismissed without prejudice in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii)

DONE this 8th day of September, 2011.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE