

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

WALTER JAMAR AVERY, #184038,)
)
 Plaintiff,)
)
 v.) CASE NO. 3:17-CV-556-WKW
) [WO]
 OFFICER SIMS, SGT. THEODORE,)
 and MS. STEWART,)
)
 Defendants.)

ORDER

Before the court is the Recommendation of the Magistrate Judge. (Doc. # 12.) There being no timely objection filed to the Recommendation, and based on an independent review of the record, it is ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 12) is ADOPTED;
2. The motion for leave to proceed *in forma pauperis* filed by Walter Jamar Avery is DENIED;
3. This case is dismissed without prejudice for the plaintiff's failure to pay the full filing and administrative fees upon the initiation of the case.

A separate final judgment will be entered.

DONE this 16th day of November, 2017.

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