

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

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|------------------------------|---|------------------------------|
| DARYUS D. SULLIVAN, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CASE NO. 3:21-CV-689-WHA-CWB |
| |) | CASE NO. 3:21-CV-704-WHA-CWB |
| |) | |
| |) | |
| LT. JOHNSON, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

ORDER

This case is before the Court on a Recommendation of the Magistrate Judge entered on July 7, 2022. Doc. 31. The Magistrate Judge recommended that Plaintiff’s amended complaint be dismissed without prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) or, alternatively, that the case be dismissed for failure to comply with a court order. *Id.* Plaintiff’s objections were due by July 21, 2022. *Id.* at 2. Plaintiff has not filed objections to the Recommendation. Accordingly, there being no timely objections filed to the Recommendation, and after an independent review of the file, the Recommendation is ADOPTED, and it is hereby

ORDERED that the amended complaint (Doc. 19) is DISMISSED without prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). The Clerk is DIRECTED to close this case and send Plaintiff a copy of this order.

Final Judgment will be entered separately.

Done, this 29th day of July, 2022.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE