

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

THOMAS MILLINER,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:14-cv-02383-MHH-JHE
)	
ADELL, Captain, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION

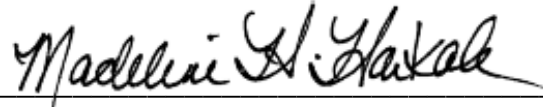
The magistrate judge filed a report on February 26, 2016, recommending that this action be dismissed without prejudice pursuant to 28 U.S.C. § 1915A(b) for Mr. Milliner’s failure to state a claim upon which relief can be granted. (Doc. 11). To date, Mr. Milliner has not objected to the report and recommendation.¹

The Court has reviewed Mr. Milliner’s original and first and second amended complaints and the instructions that Judge England gave Mr. Milliner regarding the information that he must provide in an amended complaint. The Court agrees that Mr. Milliner has not provided information responsive to Judge

¹ In the report and recommendation, Judge England advised Mr. Milliner that he had 14 days in which to challenge the report and recommendation. (Doc. 11, p. 7). After the Clerk’s Office mailed the report to Mr. Milliner at Easterling Correctional Facility, Judge England learned that Mr. Milliner had been transferred from Easterling Correctional Facility to Bullock Correctional Facility. On March 18, 2016, Judge England mailed a new copy of the report and recommendation to Mr. Milliner at Bullock Correctional Facility. In an order accompanying the report and recommendation, Judge England gave Mr. Milliner additional time to file objections. (Doc. 12, p. 1). That time has expired.

England's instructions. (Doc. 9). Therefore, the Court accepts the magistrate judge's recommendation and dismisses this action without prejudice.

DONE and **ORDERED** this May 27, 2016.

A handwritten signature in black ink, reading "Madeline H. Haikala". The signature is written in a cursive style with a horizontal line underneath it.

MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE