

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

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) Civil Action Number 2:15-cv-01645-AKK

MEMORANDUM OPINION

On May 2, 2016, the magistrate judge entered a report and recommendation, doc. 12, recommending dismissal of Carl Coleman's complaint as permitted under the Prison Litigation Reform Act, 28 U.S.C. § 1915A, which permits the court to dismiss *sua sponte* a prisoner's complaint prior to service. Coleman was allowed fourteen (14) days in which to file objections to the recommendation. That fourteen-day period has passed, and Coleman has not filed an objection to the magistrate judge's recommendation.

Having reviewed the pleadings, the briefs, the magistrate's report, and the recommendation, the court hereby **ADOPTS** the recommendation of the magistrate judge. Accordingly, because the court lacks subject matter jurisdiction

over Coleman's claims, this case is **DISMISSED WITHOUT PREJUDICE** for refiling in the appropriate state forum.

DONE the 31st day of May, 2016.

ABDUL K. KALLON

UNITED STATES DISTRICT JUDGE