

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

DONALD LEE REAVES,)	
)	
Plaintiff,)	
)	
v.)	Case No. 5:15-cv-0012-AKK-JHE
)	
MICHAEL V. RASMUSSEN,)	
)	
Defendant.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report on August 18, 2015, recommending that the federal claims in this action be dismissed without prejudice for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). (Doc. 10). The magistrate judge further recommended that any state law claims asserted in the complaint be dismissed without prejudice pursuant to 28 U.S.C. § 1367(c)(3). (*Id.*).

The copy of the report and recommendation mailed to the plaintiff at the Cullman County Jail has been returned as undeliverable and with the notations “Refused” and “Not Here!” (Doc. 11). The complaint form that the plaintiff completed and filed notified the plaintiff of his responsibility to notify the Clerk in writing of any address change. (*See doc. 1*).

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and hereby is **ADOPTED** and the recommendation is **ACCEPTED**. Therefore, in accordance with 28 U.S.C. § 1915A(b)(1), the federal claims in this action are due to be dismissed without prejudice for failing to state a claim upon which relief can be granted. Additionally, any state law claims asserted in the complaint are due to be dismissed without prejudice pursuant to 28 U.S.C. § 1367(c)(3). A Final Judgment will be entered contemporaneously herewith.

DONE the 9th day of September, 2015.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE