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

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|---|---|---|
| WILLIAM SELTZER, JR., | : | |
| Plaintiff, | : | |
| vs. | : | CIVIL ACTION 07-0391-KD-M |
| JUDGE TOMMY FIGURES, | : | |
| Defendant. | : | |

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is ADOPTED as the opinion of this Court. It is ORDERED that this action be and is hereby DISMISSED with prejudice as frivolous pursuant to 28 U.S.C. § 1915 (e)(2)(B)(i).

The Clerk is DIRECTED to send to the Commissioner of the Alabama Department of Corrections a copy of the Report and Recommendation the recommending dismissal of this action as frivolous, of this Order adopting the Report and Recommendation, and of the Judgment dismissing this action as frivolous.

DONE this 4th day of September 2008.

/s/ Kristi K. DuBose
**KRISTI K. DuBOSE**
**UNITED STATES DISTRICT JUDGE**

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