

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

HERBERT FRANKUM	:	
Plaintiff,	:	
vs.	:	CIVIL ACTION 08-0373-CG-M
RENETTA CHAPMAN, <u>et al.</u>,	:	
Defendants.	:	

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 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 the claims against Defendant Richard Allen be and are hereby **DISMISSED** without prejudice. It is further **ORDERED** that this action proceed against the other Defendants.

DONE and ORDERED this 24th day of April, 2009.

/s/ Callie V. S. Granade

CHIEF UNITED STATES DISTRICT JUDGE