

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

JAMES J. HUDNALL, SR., AIS # 155690,

Plaintiff, :

vs. : CIVIL ACTION 08-0605-KD-M

GRANTT CULLIVER, *et al.*, :

Defendants. :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, 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 further ORDERED that this action be and is hereby DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(g).

DONE this 31st day of March, 2009.

/s/ Kristi K. DuBose

KRISTI K. DuBOSE

UNITED STATES DISTRICT JUDGE