

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

WAYNE D. PERRY, :  
 :  
 Plaintiff, :  
 :  
 vs. : CIVIL ACTION 09-00001-CB-C  
 :  
 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 Recommendation to which objection is made, 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 Plaintiff's Complaint be and is hereby **DISMISSED** with prejudice.

**DONE** this 5<sup>th</sup> day of April, 2010.

*s/Charles R. Butler, Jr.*  
**Senior United States District Judge**