

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

<b>CHRISTOPHER LENARD PUGH,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 09-00016-KD-N</b>
	)	
<b>RICHARD DIX, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**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), dated January 27, 2010, is **ADOPTED** as the opinion of this Court.

Accordingly, for reasons set forth in the report and recommendation, plaintiff’s motion to amend (doc. 30) is **DENIED**, plaintiff’s motion to amend (doc. 52) is **GRANTED**; all of plaintiff’s claims except his claims of excessive use of force against defendants Dix and Guy and claims of unreasonable search and seizure of property against defendants Dix and Dukes, are **DISMISSED without prejudice**; and process shall issue upon the remaining claims against Dix, Guy and Dukes.

**DONE** this February 23, 2010.

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