

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

**CHARLAIN M. ALLEN,** :

**Petitioner,** :

**vs.** : **CIVIL ACTION 09-00351-CG-B**

**FRANK ALBRIGHT, et al.,** :

**Respondents.** :

**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** without prejudice for failure to prosecute and to obey the Court's Order.

**DONE and ORDERED** this 18<sup>th</sup> day of September, 2009.

/s/ Callie V. S. Granade  
CHIEF UNITED STATES DISTRICT JUDGE