

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

GREGORY LEE, AIS # 184070, :
 Plaintiff, :
vs. : CIVIL ACTION 09-00366-CB-M
Shirely Smith, 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 without prejudice.

DONE this 17th day of August, 2009.

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