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

LEVITICUS PRUITT, :

Plaintiff, :

vs. : CIVIL ACTION 09-0435-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 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.

DONE this 14th day of October, 2010.

s/Charles R. Butler, Jr.

Senior United States District Judge

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