

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

BOBBY SMITH, JR., #207658,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	CIVIL ACTION 09-00466-CG-B
	:	
WARDEN JERRY FERRELL, <i>et al.</i> ,	:	
	:	
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 Report and Recommendation to which objection is made, 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 with prejudice** as duplicative.

**DONE** this 18th day of February, 2010.

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