

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

ELMORE S. WELCH, JR., :

Plaintiff, :

vs. : **CIVIL ACTION 09-0534-WS-C**

ERIC HOLDER, 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 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)(A) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be and is hereby **DISMISSED** without prejudice for lack of subject matter jurisdiction.

DONE this 14th day of December, 2009.

s/WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE