

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

HUNTER TODD, :
 :
 Plaintiff, :
 :
 vs. : CIVIL ACTION 09-0746-WS-N
 :
 ALABAMA POWER, et al., :
 :
 Defendants. :

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, prior to service of process, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted.

DONE this 1st day of March, 2010.

s/WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE