

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

JOE HENRY SCOTT, III, :

Plaintiff, :

vs. : **CIVIL ACTION 09-00762-CG-N**

G.K. FOUNTAIN CORRECTIONAL :

CENTER, 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 for failure to prosecute and to obey the Court's order.

DONE and ORDERED this 22nd day of March, 2010.

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