

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

MARCUS TATE,	:	
a/k/a/ MARCUS TAITE,	:	
a/k/a DRELIAH MUHAMMAD,	:	
AIS # 180664,	:	CIVIL ACTION 10-00257-KD-M
Plaintiff,	:	
	:	
vs.	:	
	:	
STATE OF ALABAMA, 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)(B) and dated July 21, 2010, is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Plaintiff's action be and is hereby **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(g).

DONE and ORDERED this the **4th** day of **August 2010**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE