

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

<b>MARCUS TATE,</b>	:	
<b>a/k/a/ MARCUS TAITE,</b>	:	
<b>a/k/a DRELIAH MUHAMMAD,</b>	:	
<b>AIS # 180664,</b>	:	<b>CIVIL ACTION 10-00257-KD-M</b>
<b>Plaintiff,</b>	:	
	:	
<b>vs.</b>	:	
	:	
<b>STATE OF ALABAMA, et al.,</b>	:	
	:	
<b>Defendants.</b>	:	

**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 **4<sup>th</sup>** day of **August 2010**.

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