

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

GREGORY LEE,

Plaintiff,

vs.

DAVENPORT, *et al.*,

Defendants.

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Civil Action No. 10-00476-KD-B

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 pursuant to 28 U.S.C. § 1915(g).

DONE this 1st day of November, 2010.

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