

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

HERBERT FLEMING,
Plaintiff,

vs.

ALABAMA DEPARTMENT OF
CORRECTIONS, et al.,
Defendants.

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: CIVIL ACTION 10-0533-CG-M

ORDER

After due and proper consideration of all portions of this file deemed relevant to the
issues 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 3rd day of January, 2011.

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