

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

REGINALD A. BENION, AIS # 127893, :
Plaintiff, :
vs. : CIVIL ACTION 11-0272-WS-C
DEBRA TONEY, :
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 as MOOT.

DONE this 22nd day of March, 2012.

s/WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE