

**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