

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

PRESTON MOORE, :
 :
 Plaintiff, :
 :
 vs. : **CIVIL ACTION 12-00248-CG-C**
 :
 CITY OF MOBILE, :
 :
 Defendant. :

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 Plaintiff's complaint be and is hereby **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for failure to state a claim upon which relief may be granted.

DONE and ORDERED this 9th day of August, 2012.

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