

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

WILLIE KEVIN WILLIAMS,
 Petitioner,

vs.

GARY HETZEL,
 Respondent.

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CIVIL ACTION 12-00693-KD-C

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) and dated January 31, 2013, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that this action is hereby **DISMISSED WITHOUT PREJUDICE** in accordance with Rule 41(b) of the Federal Rules of Civil Procedure based upon the Petitioner's failure to prosecute and comply with the Court's orders dated November 13, 2012, and December 3, 2012.

DONE and ORDERED this the **22nd** day of **February 2013**.

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