

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

DAVID LEE McMILLIAN,
Plaintiff,

v.

**JEFFREY L. STOKES, DENISE
GOLDMAN, and WALTER MYERS,**
Defendants.

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CIVIL ACTION NO. 13-00111-KD-N

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 (Doc. 12) of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated August 19, 2013, is **ADOPTED** as the opinion of this court. Accordingly, 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 the **23rd** day of **September 2013**.

/s/ Kristi K. DuBose

KRISTI K. DuBOSE

UNITED STATES DISTRICT JUDGE