

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

JERRY HAMMOND,
Petitioner,

v.

TONY PATTERSON,
Respondent.

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CIVIL ACTION NO. 13-00169-KD-B

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated June 24, 2013 (Doc. 5), is **ADOPTED** as the opinion of this Court. Accordingly, it is **ORDERED** that this action be **DISMISSED without prejudice** pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

DONE and ORDERED this the **8th** day of **July 2013**.

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