

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

TONY R. DALTON, :  
 :  
 Plaintiff, :  
 :  
 vs. : CIVIL ACTION 14-587-WS-C  
 :  
 ROBERT EARL HERRIN, *et al.*, :  
 :  
 Defendants. :

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) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be and is hereby **DISMISSED** without prejudice for lack of subject matter jurisdiction.

**DONE** this 19th day of March, 2015.

s/WILLIAM H. STEELE  
CHIEF UNITED STATES DISTRICT JUDGE