

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

DAVID KILLINGSWORTH,

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Petitioner,

* CIVIL ACTION NO.

* 15-00182-CB-B

v.

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STATE OF ALABAMA,

*

*

Respondent.

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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) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be **DISMISSED** without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

DONE this **24th** day of **September, 2015**.

s/Charles R. Butler, Jr.
UNITED STATES DISTRICT JUDGE