

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

**GERARD DAVID McCREE, JR.,**

**Plaintiff,**

**vs.**

**GWENDOLYN GIVENS, *et al.*,**

**Defendant.**

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**CIVIL ACTION NO.15-00249-CG-B**

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues 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 Petitioner's complaint be **dismissed without prejudice** as set out.

**DONE and ORDERED** this 23<sup>rd</sup> day of February, 2015.

/s/ Callie V. S. Granade  
UNITED STATES DISTRICT JUDGE