

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

<b>CHARLES WILLIAM CUNNINGHAM,</b>	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>CIVIL ACTION 15-00494-KD-N</b>
	:	
<b>GLORIA MCLAIN, et al.,</b>	:	
<b>Defendants.</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 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 July 19, 2017, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that this action is **DISMISSED without prejudice** *sua sponte* for the Plaintiff's failure to make the required payments under 28 U.S.C. § 1915(b) or, alternatively, for failure to prosecute and obey the Court's orders under both Federal Rule of Civil Procedure Rule 41(b) and the Court's inherent authority to manage its docket. It is further **ORDERED** that all pending motions are **MOOT**.

**DONE and ORDERED** this the 18<sup>th</sup> day of August 2017.

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