

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

DEVIN ELY,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION 15-0566-KD-M
)	
BOARD OF SCHOOL COMMISSIONERS)	
OF MOBILE COUNTY, ALABAMA,)	
)	
Defendant.)	

ORDER

After due and proper consideration of the Report and Recommendation and Plaintiff's failure to file a third amended complaint that cured the deficiencies of the second amended complaint as outlined in the Report and Recommendation (docs. 15, 16), the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court. Accordingly, it is **ORDERED** that the second amended complaint is dismissed with prejudice.

DONE and ORDERED this 7th day of June 2016.

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