

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

THADDEUS D. SMITH, SR.,)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 15-00629-KD-N
)	
THE STATE OF ALABAMA)	
DEPARTMENT OF HUMAN)	
RESOURCES CHILD SUPPORT)	
DIVISION,)	
Defendant.)	

ORDER

After due and proper consideration of the issues raised, and a *de novo* determination of those portions of the recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B)-(C), Federal Rule of Civil Procedure 72(b), and S.D. Ala. GenLR 72(a)(2)(S), and dated June 3, 2016, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that the Defendant State of Alabama Department of Human Resources Child Support Division’s motion to dismiss (Doc. 12) is **GRANTED** under Federal Rule of Civil Procedure 12(b)(1) and that the claims against Ms. Anderson are **DISMISSED sua sponte** under 1915(e)(2)(B)(ii) & (iii), such that all of Smith’s claims are **DISMISSED without prejudice** for lack of subject matter jurisdiction. In accordance with Federal Rule of Civil Procedure 58, final judgment shall be entered accordingly by separate document

DONE and ORDERED this 30th day of **June 2016**.

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