

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

WALTER JULIOUS	)	
PORTERFIELD,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION 16-00018-CG-M
	)	
GROVER SMITH, <u>et al.</u> ,	)	
	)	
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 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 and is hereby **DISMISSED** without prejudice for failure to state a claim upon which relief can be granted.

**DONE and ORDERED** this 8th day of September, 2016.

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