

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

ANDRE CARSTARPHEN, SR.,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 16-0368-CG-N
)	
CARR ALLISON LAW FIRM, <u>et al.</u>,)	
)	
Defendants.)	

ORDER

After due and proper consideration of the issues raised, and there having been no objections file,¹ the Report and Recommendation (Doc. 22) 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 September 16, 2016, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that the Defendants' motions to dismiss (Docs. 7, 14) are **MOOT** and that this action is **DISMISSED without prejudice** under Federal Rule of Civil Procedure 12(h)(3) for lack of subject-matter jurisdiction. In accordance with Federal Rule of Civil Procedure 58, final judgment shall be entered by separate document.

DONE and ORDERED this 18th day of October, 2016.

/s/ Callie V. S. Granade

SENIOR UNITED STATES DISTRICT JUDGE

¹ The Court NOTES the Plaintiff's Motion to End (Dismiss) & Restore (Doc. 24), Defendant, Circuit Court Judge James C. Wood's response thereto (Doc. 26), and the Plaintiff's second motion to dismiss (Doc. 27).