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

EDWIN E. WHITE,	)	
Plaintiff,	)	
	)	
vs.	)	**CIVIL ACTION 16-407-KD-M**
	)	
SHERIFF SAM COCHRAN,	)	
Defendant.	)	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made (Doc. 15), the Report and Recommendation of the Magistrate Judge, made under 28 U.S.C. § 636(b)(1)(B) and dated October 17, 2016 (Doc. 14), is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be dismissed without prejudice, prior to service of process, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief can be granted.

DONE and **ORDERED** this **18th** day of **November 2016.**

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

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