

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

JOHNNIE CEPHUS FENN, JR., 735082, :

Plaintiff, :

vs. : CIVIL ACTION 16-415-WS-M

ESTEL GERALD CAPPs, :

Defendant. :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and 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 with prejudice for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

DONE this 15th day of November, 2016.

s/WILLIAM H. STEELE  
CHIEF UNITED STATES DISTRICT JUDGE