

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

**BENNY L. WOODGETT, #10843-003**  
**Plaintiff,**

**v.**

**SPENCER B. WALKER, et al.,**  
**Defendants.**

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**CIVIL ACTION 16-00489-KD-M**

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues 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) and dated May 2, 2017 is **ADOPTED** as the opinion of this Court. Accordingly, it is **ORDERED** that this action is **DISMISSED with prejudice**, prior to service of process, as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

**DONE and ORDERED** this the **24<sup>th</sup>** day of **May 2017**.

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