

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

RODERICK LEBARON KELLY,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 16-0614-CG-M
)	
BRANDIN TYRUNE ANTHONY)	
STALLWORTH, <u>et al.</u> ,)	
)	
Defendants.)	

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** without prejudice for lack of subject matter jurisdiction, except that the claim against Defendant Geico based of federal question jurisdiction is **DISMISSED** without prejudice, 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 9th day of January, 2017.

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