

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

<b>ALFRED BLACKMAN,</b>	)	
<b>Plaintiff/Counter Defendant,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 17-00160-KD-N</b>
	)	
<b>DOROTHY PARTRIDGE, HAROLD</b>	)	
<b>PARTIDGE, and HAPPY HOME</b>	)	
<b>INSULATION COMPANY a/k/a</b>	)	
<b>Happy Home Improvement, Inc.</b>	)	
<b>Defendants/Counterclaimants.</b>	)	

**ORDER**

After due and proper consideration of the issues raised, and there having been no objections filed, the Report and Recommendations (Doc. 24) 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 December 1, 2017, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that the Defendants' Motion to Dismiss for Failure to Prosecute (Doc. 19) is **GRANTED**, that Plaintiff Alfred Blackman's claims against the Defendants in this action are **DISMISSED with prejudice** under Federal Rule of Civil Procedure 41(b), and that the Defendants' counterclaims against Blackman are **DISMISSED without prejudice** under Federal Rule of Civil Procedure 41(a)(2).

Final judgment shall issue separately in accordance with this order and Federal Rule of Civil Procedure 58.

**DONE and ORDERED** this the 20th day of December 2017.

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