

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

**MARLON J. DAILEY,**  
**Plaintiff,**

**v.**

**MARY COOKS, *et al.*,**  
**Defendants.**

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**CIVIL ACTION 1:21-00081-KD-MU**

**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 August 2, 2021 is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that this action is **DISMISSED** without prejudice due to Plaintiff's failure to comply with the Court's order and to prosecute this action by paying the partial filing fee.

**DONE and ORDERED** this the **7th** day of **September 2021**.

/s/ Kristi K. DuBose

**KRISTI K. DuBOSE**

**CHIEF UNITED STATES DISTRICT JUDGE**