

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

**RICKY LEWIS AND LULU LEWIS,**                     :  
**Plaintiffs,**   :  
**vs.**   :   **CA 10-0718-KD-C**  
**STATE FARM FIRE AND CASUALTY**             :  
**COMPANY, et al.,**                                 :  
**Defendants.**   :

**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 recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated April 13, 2011 is **ADOPTED** as the opinion of this Court.

The motion for partial dismissal filed by defendant State Farm Fire and Casualty Company (Doc. 3) is granted and Counts Three and Four of the Complaint are **DISMISSED**.

**DONE** this 2nd day of May, 2011.

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