

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

JOE BEARD, JR.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CRIMINAL NO. 15-00238-CG-M
	)	
THEODIS DELLA GREEN,	)	
	)	
Defendant.	)	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a de novo determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(A) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be and is hereby **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 7<sup>th</sup> day of August, 2015.

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