

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

<b>VIVIAN M. JONES,</b>	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 2:18-00262-KD-N</b>
	)	
<b>LEE PAYSSA, et al.,</b>	)	
<b>Defendants.</b>	)	

**ORDER**

After due and proper consideration of the issues raised, and there having been no objections filed, the Report and Recommendation (Doc. 21) 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 July 24, 2018, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that the motion to dismiss the Second Amended Complaint (“SAC”) under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted (Doc. 9) filed by Defendants Lee Payssa and Stephen Smith is **GRANTED** and that the claims against Payssa and Smith in the SAC are **DISMISSED with prejudice**.

**DONE** and **ORDERED** this the 10th day of August 2018.

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