

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

FILED  
U.S. DISTRICT COURT  
STATESBORO DIV.

2009 JUL 28 PM 2:00

CLERK *MW*  
SO. DIST. OF GA.

JOHNNY JOHNSON,  
Plaintiff,

vs.

CIVIL ACTION NO.: CV609-026

Captain RODNEY McCLOUD and  
Lt. McCLAIN,  
Defendants.

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Plaintiff's complaint is **DISMISSED**, without prejudice. If Plaintiff desires to proceed with this action he must re-submit his complaint along with the full filing fee. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 28<sup>th</sup> day of July, 2009.

*B. Avant Edenfield*  
B. AVANT EDENFIELD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA