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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI GREENVILLE DIVISION

WILEY ZACHARY CARROLL

**PLAINTIFF** 

V.

NO. 4:10CV078-P-A

EARNEST KING, et al.

**DEFENDANTS** 

**ORDER** 

Upon consideration of the file and records in this action, the court finds that the Report and

Recommendation of the United States Magistrate Judge dated September 9, 2010, was on that date

duly served by mail upon Plaintiff at his last known address; that more than fourteen days have

elapsed since service of the Report and Recommendation; and that no objection to the Report and

Recommendation has been served or filed by any party. The court is of the opinion that the

Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of

the court. Therefore, it is

**ORDERED:** 

1) the Report and Recommendation (docket entry 12) of the United States Magistrate Judge

dated September 9, 2010, is hereby APPROVED and ADOPTED as the opinion of the court;

2) the claims as to Defendant Christopher Epps are DISMISSED with prejudice; and

3) this matter shall proceed as to the remaining Defendants.

THIS the 29<sup>th</sup> day of September, 2010.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE

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