

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

SHANNON RYAN-EL, #235282,)	
a.k.a., SHANNON RYAN,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:15-CV-678-MHT
)	(WO)
)	
JEFFERSON S. DUNN, et al.,)	
)	
Defendants.)	

RECOMMENDATION OF THE MAGISTRATE JUDGE

This case is before the court on a 42 U.S.C. § 1983 complaint filed by inmate Shannon Ryan-El ("Ryan-El"), a member of the Moorish Science Temple of America, presently incarcerated at the Staton Correctional Facility. In the instant complaint, Ryan-El seeks inclusion in the religious exception accommodation to the grooming policy recently adopted by the Alabama Department of Corrections which would allow him to grow a beard of not more than ½ inch in length. However, Ryan-El did not file the \$350.00 filing fee and attendant \$50 administrative fee nor did he submit an original affidavit in support of a motion for leave to proceed *in forma pauperis*. Absent either the pre-payment of the requisite fees or the granting of *in forma pauperis* status, this case cannot proceed before this court. Consequently, the court entered an order requiring that Ryan-El provide the court with the necessary information on or before October 9, 2015. *Order of September 21, 2015 - Doc.*

No. 3 at 1-2. The court specifically cautioned Ryan-El that failure to comply with this order would result in a recommendation that this case be dismissed. *Id.* at 2.

As of the present date, Ryan-El has filed nothing in response to the aforementioned order. The court therefore concludes that the pending motion for preliminary injunction should be denied and this case dismissed.

Accordingly, it is the RECOMMENDATION of the Magistrate Judge that the motion for preliminary injunction be DENIED and this case be DISMISSED without prejudice for Ryan-El's failure to file the requisite fees or provide the court with financial information in compliance with the order of this court. It is further

ORDERED that on or before November 10, 2015 the plaintiff may file objections to the Recommendation. The plaintiff must specifically identify the factual findings and legal conclusions in the Recommendation to which the objection is made; frivolous, conclusive, or general objections will not be considered. Failure to file written objections to the Magistrate Judge's findings and recommendations in accordance with the provisions of 28 U.S.C. § 636(b)(1) shall bar a party from a de novo determination by the District Court of legal and factual issues covered in the Recommendation and waives the right of the party to challenge on appeal the district court's order based on unobjected-to factual and legal conclusions accepted or adopted by the District Court except upon grounds of plain error or manifest injustice. *Nettles v. Wainwright*, 677 F.2d 404 (5th Cir. 1982); 11TH CIR. R. 3-1. *See Stein v. Lanning Securities, Inc.*, 667 F.2d 33 (11th Cir. 1982). *See also Bonner v. City of*

Prichard, 661 F.2d 1206 (11th Cir. 1981) (en banc).

Done this 22nd day of October, 2015.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE