

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

SIMEON L. JOHNSON,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 1:08-CV-870-TMH
)	
HOUSTON COUNTY JAIL, et al.,)	
)	
Defendants.)	

OPINION AND ORDER

On December 10, 2008, the court issued a Recommendation that this case be dismissed without prejudice for the plaintiff's failure to properly prosecute this action. The plaintiff filed no objection to the Recommendation within the time allowed by the court. On December 29, 2008, the court therefore adopted the Recommendation and issued final judgment dismissing this case without prejudice for the reasons set forth in the Recommendation. The time to appeal this judgment expired on January 28, 2009. Rule 4(a)(1), *Federal Rules of Appellate Procedure*. Thus, the judgment issued by this court became final on the aforementioned date.

On March 25, 2009, the plaintiff filed an objection to the Recommendation in which he seeks to proceed on his claims for relief. The objection is untimely and, at this stage of the proceedings, provides no basis for relief from the Recommendation. Moreover, the appropriate manner in which the plaintiff should proceed on his claims is to file a separate 42 U.S.C. § 1983 action in this court. In light of the foregoing, it is

ORDERED that the objection filed by the plaintiff on March 25, 2009 be and is hereby OVERRULED.

Done this 1st day of April, 2009.

 /s/ Truman M. Hobbs
SENIOR UNITED STATES DISTRICT JUDGE