

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

LOUIS FRANK JACKSON, II, #64004	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:10-CV-231-ID
	)	WO
CIRCUIT COURTS OF HOUSTON	)	
COUNTY, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On April 2, 2010, the Magistrate Judge filed a Recommendation (Doc. No. 5) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is ORDERED that:

1. The Recommendation of the Magistrate Judge is ADOPTED;
2. The § 1983 claims presented against Judge Butch Binford, District Attorney Banks Smith, the Circuit Court for Houston County, and the 20<sup>th</sup> Judicial Circuit of Alabama are hereby DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i) and/or (iii);
3. Plaintiff’s challenge to the constitutionality of the conviction and/or sentence imposed upon him by the Circuit Court for Houston County, Alabama, is hereby DISMISSED without prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii)

as such claims are not properly before the court at this time; and

4. This complaint is hereby DISMISSED prior to service of process.

Done this 22<sup>nd</sup> day of April, 2010.

/s/ Ira DeMent  
SENIOR UNITED STATES DISTRICT JUDGE