

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

DAVID LAMAR JOHNSON, #255052,)
)
Plaintiff,)
)
v.)
)
STATE OF ALABAMA, *et al.*,)
)
Defendants.)

CASE NO. 2:10-cv-401TMH

ORDER

The Magistrate Judge entered a Supplemental Recommendation (Doc. #9) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED that the SUPPLEMENTAL RECOMMENDATION (Doc. #9) of the Magistrate Judge is ADOPTED. It is further

ORDERED as follows:

1. The Magistrate Judge’s June 17, 2010, Recommendation (Doc. #5) is ADOPTED;
2. Plaintiff’s claims brought under 42 U.S.C. §§ 1981, 1982 and 18 U.S.C. §§ 241-243 and 1621-1623 are DISMISSED prior to service of process pursuant

to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).

3. Plaintiff's claims brought pursuant to 42 U.S.C. § 1985 with respect to events which occurred on or before September 28, 2005, June 13, 2006, and August 26-30, 2007, are DISMISSED with prejudice pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(i) as Plaintiff failed to file the complaint with regard to these allegations within the time prescribed by the applicable period of limitation; and

A separate judgment shall issue.

Done this 28th day of September, 2010.

/s/ Truman M. Hobbs

UNITED STATES DISTRICT JUDGE