

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

DAVID LAMAR JOHNSON, #255 052 *

Plaintiff, *

v. *

1:10-CV-401-TMH
(WO)

STATE OF ALABAMA, *et al.*, *

Defendants. *

ORDER ON MOTION

Plaintiff has filed a motion to amend complaint. He seeks “to add subsequent court dates of July 11, 2008, Alabama Court of Criminal Appeals Reversal: July 29, 2008, filing of his Federal Habeas Corpus and August 8, 2008, resentencing of the trial court of Geneva County, of his State and Federal proceedings held in the present file complaint for (Statute of Limitations Purposes); and part of his trial proceedings from Geneva and Houston Counties Cases Court Proceedings.” (*Doc. No. 7.*) Upon review of the pending motion, the court concludes that the motion is due to be denied. *See District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 486 (1983) (federal district courts “do not have jurisdiction . . . over challenges to state court decisions in particular cases arising out of judicial proceedings even if those challenges allege that the state court’s action was unconstitutional.”); *Datz v. Kilgore*, 51 F.3d 252, 254 (11th Cir. 1995) (§ 1983 suit arising from alleged erroneous decisions of a state court is merely a prohibited appeal of the state court judgment); *Heck v. Humphrey*, 512 U.S. 477, 483-89 (1994) (challenges to the legality

