

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

DONNELL FLOURNOY, #126 385,)	
)	
Plaintiff,)	
)	1:11-CV-213-ID
v.)	
)	(WO)
LORI C. INGRAM, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Before the court are the Recommendation of the Magistrate Judge, (Doc. #8), and Plaintiff’s Objection, (Doc. #9). Having conducted a *de novo* determination of those portions of the Recommendation to which objections are made, it is CONSIDERED and ORDERED as follows:

1. Plaintiff’s Objection (Doc. #9) be and the same is hereby OVERRULED;
2. The Recommendation of the Magistrate Judge (Doc. #8) be and the same is hereby ADOPTED, APPROVED and AFFIRMED;
3. The Plaintiff’s § 1983 claims presented against the named Defendants be and the same are hereby DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i) and (iii);
4. The Plaintiff’s challenge to the constitutionality of his 2010 probation revocation proceedings before the District Court of Houston County,

Alabama, be and the same is hereby DISMISSED without prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) as such challenged is not properly before the Court at this time; and

5. This case be and the same is hereby DISMISSED prior to service of process in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i), (ii), and (iii).

DONE this the 19th day of April, 2011.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE