

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

TORY L. JONES,)	
AIS # 264248,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:11-cv-798-TMH
)	[wo]
VALERIE D. JUDAH, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION and ORDER

On October 11, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. No. 4). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED, and that this case be and is hereby DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) on the claims against the defendants, and DISMISSED without prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) to the extent the complaint presents claims which challenge the constitutionality of a 2009 conviction and sentence imposed upon the plaintiff by the Circuit Court of Houston County, Alabama, as such claims are not properly before the court at this time.

DONE this 17th day of November, 2011.

/s/ Truman M. Hobbs

TRUMAN M. HOBBS
UNITED STATES DISTRICT JUDGE