

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

TERREKO THOMAS, #220470,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 1:11cv808-TMH
	)	
JUDGE J. MICHAEL CONWAY, et al.,	)	
	)	
Defendants.	)	

**ORDER AND OPINION**

On October 4, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 3). 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:

1. Plaintiff’s claims challenging events which occurred on or before April 9, 2009 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;

2. Plaintiff’s challenge to the constitutionality of the convictions and/or sentence imposed upon her by the Circuit Court for Houston County, Alabama are 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;

3. This complaint is DISMISSED prior to service of process.

Done this the 27<sup>th</sup> day of October, 2011.

/s/ Truman M. Hobbs

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SENIOR UNITED STATES DISTRICT JUDGE