Smedley v. State of Alabama(MAG+) Doc. 11

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

DARRELL SMEDLEY,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 1:12-cv-0312-MEF
	)	WO
STATE OF ALABAMA,	)	
	)	
Defendant.	)	

O R D E R

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objections (Docs. #9 & #10) to the Recommendation of the Magistrate Judge—filed on May 21 and 22, 2012, respectively—are overruled;

2. The Recommendation of the Magistrate Judge (Doc. #8) entered on May 14, 2012 is adopted;

3. That this action is DISMISSED prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B), as plaintiff's claims against the State of Alabama are barred by the Eleventh Amendment.

DONE this the 29th day of May, 2012.

/s/ Mark E. Fuller
UNITED STATES DISTRICT JUDGE

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