

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

MARK GERAGHTY WONDERS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 1:12-CV-514-WKW
	)	[WO]
ANTHONY CRUTCHFIELD, Major	)	
General, and JAMES MUSKOPF, Colonel,	)	
	)	
Defendants.	)	

**ORDER**

There being no objections filed to the Recommendation of the Magistrate Judge (Doc. # 33), and upon an independent review of the file in this case, it is ORDERED that the Recommendation is ADOPTED. Accordingly, it is ORDERED as follows:

(1) The motion to dismiss (Doc. # 13) is GRANTED, and Plaintiff’s due process *Bivens* claims are DISMISSED with prejudice for failure to state a claim upon which relief can be granted as to Defendants in any capacity and as to Defendants in their individual capacities on the basis of qualified immunity.

(2) Plaintiff’s Motion to Rescind Bar to Entry onto Fort Rucker Pending Final Adjudication of the Case (Doc. # 17) is DENIED.

(3) Plaintiff’s “Addendum to Opposition to Defendants’ Motion to Dismiss” (Doc. # 32), construed as a motion for leave to amend the complaint to state a

violation of procedural due process in the revocation of Plaintiff's security clearance, is DENIED as futile.

(4) This action is REFERRED back to the Magistrate Judge for entry of an order allowing Plaintiff an opportunity to amend his complaint and providing him with direction about how to do so in a manner to permit orderly disposition of his claims.

DONE this 4th day of March, 2013.

/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE