

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

DAVID LEE PUTNAM, #155 060,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. 1:13cv-833-WHA
)	
LARRY K. ANDERSON, et al.,)	(WO)
)	
Defendants.)	

ORDER

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #5), the Magistrate Judge’s Supplemental Recommendation (Doc. #10), and the Plaintiff’s Objections to both Recommendations (Docs. #8 and #11). The court has made an independent evaluation and *de novo* review of the file in this case, and determines the objections to be without merit.

Plaintiff filed his objection (#11) to the Supplemental Recommendation on February 13, 2014. The first 5 1/2 pages of his 9-page objection simply repeat verbatim a substantial portion of the February 13 Supplemental Recommendation. Plaintiff then goes on to list his "specific objections." Plaintiff asserts that he objects to the court's finding that his conspiracy claim is self-serving, fails to assert material facts sufficient to establish a conspiracy, and is not plausible, that the court does not have jurisdiction under *Rooker-Feldman* to entertain his claims against Judge Anderson, and that his complaint is subject to dismissal with prejudice under § 1915(e)(2)(B). However, he provides no argument in support of these stated objections. Plaintiff goes on to indicate that he will be filing a newly discovered evidence claim of actual innocence in the Circuit Court for Houston County which he contends will substantiate his conspiracy

claims and eventually lead to a reversal of his conviction. Plaintiff states that at that time he will be back with "some really strong cognizable claims against Judge Anderson and the Houston County DA's office." (Doc. #11 at 7-8)

Plaintiff's additional comments appear to reflect his understanding that he has failed to present any viable § 1983 claims against the named defendants in either his complaint or amended complaint (#1, 8).

Finding that both objections are without merit, it is hereby ORDERED as follows:

1. Plaintiff's objections are OVERRULED.
2. The court ADOPTS the Recommendation of the Magistrate Judge (Doc. #5) and the Supplemental Recommendation of the Magistrate Judge (Doc. #10).
3. Plaintiff's claims against the Defendants in the Complaint, as amended (Doc. #8), are DISMISSED with prejudice in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
4. The Complaint, as amended, is DISMISSED prior to service of process.

DONE this 19th day of March, 2014.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE