

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

SHAWN MAXMILLION)	
McDANIEL,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	1:14cv1176-MHT
)	(WO)
HONORABLE JUDGE PETERSON,)	
et al.,)	
)	
Defendants.)	

JUDGMENT

In accordance with the memorandum opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The United States Magistrate Judge's recommendation (doc. no. 4) is adopted.

(2) This lawsuit is dismissed as follows: The 42 U.S.C. § 1983 claims presented against defendants Peterson, Blalock, and Clenney are dismissed with prejudice under 28 U.S.C. § 1915(e)(2)(B)(i); the 42 U.S.C. § 1983 claims against defendant Anderson are

dismissed without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii); and the challenge to the constitutionality of the pending criminal charges is dismissed without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii) as such challenge is not properly before the court at this time.

It is further ORDERED that costs are taxed against plaintiff, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 2nd day of February, 2015.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE