

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

GEORGE EDWARD JARRELL,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	1:16cv107-MHT
	)	(WO)
JUDGE BEN LEWIS,	)	
	)	
Defendant.	)	

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, an inmate in a county jail, filed this lawsuit against a state-court criminal judge challenging the constitutionality of several of the judge's decisions and actions, and seeking damages and declaratory relief. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that (1) the claims seeking declaratory relief from the state court's orders and actions be dismissed with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i); (2) the claims for monetary damages against defendant be dismissed with prejudice pursuant

to the provisions of 28 U.S.C. § 1915(e)(2)(B)(iii); (3) the plaintiff's request for declaratory relief that would necessarily entail intervention by this court into the pending state criminal proceedings be dismissed without prejudice in accordance with the Younger abstention doctrine so that the plaintiff may pursue his claims in the state courts; and (4) this case be dismissed prior to service. There are no objections to the recommendation. After an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted, except that all of plaintiff's requests for declaratory relief shall be dismissed without prejudice.

An appropriate judgment will be entered.

DONE, this the 31st day of March, 2016.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE