

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

JON B. CARROLL,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	1:16cv229-MHT
)	(WO)
JOHN WHITE, et al.,)	
)	
Defendants.)	

OPINION

Pursuant to 42 U.S.C. § 1983 and Washington State law, plaintiff, a journalist, filed this lawsuit claiming that his rights to free speech, due process, and equal protection are threatened by defendants. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's case be dismissed without prejudice and that the motion to intervene filed by non-party Wykle Williams, Jr. be denied as moot. The magistrate judge characterizes plaintiff's suit as seeking "an injunction preventing defendants from suing him for defamation per se," Report and Recommendation (doc. no.

25) at 6, as well as "a declaratory judgment that possible defenses or affirmative defenses would be meritorious if he is sued by the defendants for defamation per se." Id. at 9. Plaintiff does not object to the recommendation or its characterization of his claims. After an independent and de novo review of the record, and based on the court's understanding that plaintiff does not object to the characterization of his claim, the court concludes that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 14th day of December, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE