

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

|                   |   |                  |
|-------------------|---|------------------|
| JAMES AMAR WOODS, | ) |                  |
|                   | ) |                  |
| Plaintiff,        | ) |                  |
|                   | ) | CIVIL ACTION NO. |
| v.                | ) | 1:16cv761-MHT    |
|                   | ) | (WO)             |
| MARK JOHNSON,     | ) |                  |
|                   | ) |                  |
| Defendant.        | ) |                  |

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, an inmate, filed this lawsuit seeking injunctive and declaratory relief to stop the defendant--who currently serves as the district attorney of Houston County but represented plaintiff prior to becoming a prosecutor--from prosecuting plaintiff. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's claims against the defendant district attorney be dismissed with prejudice on the basis of absolute prosecutorial immunity, that plaintiffs' claims for declaratory and injunctive relief be dismissed without prejudice, and that his

motion for preliminary injunction be denied. 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 claims will be dismissed without prejudice.

An appropriate judgment will be entered.

DONE, this the 4th day of November, 2016.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE