

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

TERNECIA D. WILSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIV. ACT. NO. 1:22-cv-67-ECM
	)	(WO)
WILLIAM E. BENNY, Chief of Police, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION and ORDER**

Now pending before the court is the Report and Recommendation of the Magistrate Judge (doc. 14) which recommends that this case be dismissed prior to service of process because it fails to set forth the Court’s jurisdictional basis over the complaint and does not meet the federal pleading standard. On August 24, 2022, the Plaintiff filed objections to the Recommendation. (Doc. 15). The Court has carefully reviewed the record in this case, including the Magistrate Judge’s Report and Recommendation, and the Plaintiff’s objections. *See* 28 U.S.C. § 636(b).

When a party objects to a Magistrate Judge’s Report and Recommendation, the district court must review the disputed portions *de novo*. 28 U.S.C. § 636(b)(1). The district court “may accept, reject, or modify the recommended disposition; receive further evidence; or resubmit the matter to the magistrate judge with instructions.” FED.R.CIV.P. 72(b)(3). *De novo* review requires that the district court independently consider factual issues based on the record. *Jeffrey S. ex rel. Ernest S. v. State Bd. of Educ.*, 896 F.2d 507, 513 (11th Cir. 1990). *See also United States v. Gopie*, 347 F. App’x 495, 499 n.1 (11th Cir.

2009). However, objections to the Magistrate Judge's Report and Recommendation must be sufficiently specific in order to warrant *de novo* review. See *Macort v. Prem, Inc.*, 208 F. App'x 781, 783-85 (11th Cir. 2006). Otherwise, a Report and Recommendation is reviewed for clear error. *Id.*

The Court has reviewed the Plaintiff's objections. She does not identify any factual or legal bases for her objections to the Magistrate Judge's Recommendation. Her objections to the Report and Recommendation lack specificity and fail to state any basis for her objections. Reviewing the Report and Recommendation for clear error, the Court concludes that the record supports the Magistrate Judge's findings and conclusions of law. Accordingly, for the reasons as stated and for good cause, it is

ORDERED as follows:

1. The Plaintiff's objections (doc. 15) are OVERRULED;
2. The Recommendation of the Magistrate Judge (doc. 14) is ADOPTED; and
3. This matter is DISMISSED without prejudice prior to service of process.

A final judgment will be entered.

DONE this 1st day of September, 2022.

/s/ Emily C. Marks  
EMILY C. MARKS  
CHIEF UNITED STATES DISTRICT JUDGE