

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

LARRY JOHNSON, #115 808,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:09cv11-TMH
)	
THE ALABAMA BOARD OF PARDONS)	
AND PAROLES, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

The Magistrate Judge filed a Recommendation (Doc. #14) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED that the RECOMMENDATION (Doc. #14) of the Magistrate Judge is ADOPTED. For the reasons stated by the Magistrate Judge, it is

ORDERED that Plaintiff’s 42 U.S.C. § 1983 claims for monetary damages against Defendants Wynn, McGill, and Weatherly are DISMISSED with prejudice prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B)(iii); that Plaintiff’s claims arising from actions which occurred prior to January 5, 2007, are DISMISSED with prejudice prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B)(i); that Plaintiff’s claims against the Alabama Board of Pardons and Paroles are DISMISSED with prejudice prior to service of process pursuant to 28 U.S.C. § 1915 (e)(2)(B)(i); and that the Alabama Board of Pardons

and Paroles is DISMISSED as a party to this cause of action. It is further

ORDERED that Plaintiff's challenge to Defendant's decision to deny him parole and his request for injunctive relief, construed by the Court as a request for a new parole consideration hearing, is REFERRED back to the Magistrate Judge for further proceedings.

Done this 19th day of March, 2009.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE