

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

ALONZO AUSTIN,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:09-cv-188-MEF
)	WO
CITY OF MONTGOMERY, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #11) to the Recommendation of the Magistrate Judge filed on April 15, 2009 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #10) filed on April 2, 2009 is adopted;
3. The plaintiff's challenge to the outcome of the Montgomery County Circuit Court civil proceeding is DISMISSED with prejudice.
4. The plaintiff's state law claims are DISMISSED without prejudice.
5. This case is DISMISSED pursuant to Fed.R.Civ.P. 12(b)(1) and 12(h)(3).

DONE this the 17th day of April, 2009.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE