

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

RONALD DAVID MALONE,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 2:09-cv-217-TMH
	)	WO
LOUIS BOYD, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

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

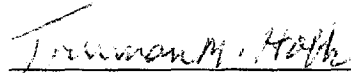
1. The plaintiff's objections (Doc. #9) to the Recommendations of the Magistrate Judge filed on March 31, 2009 are overruled;
2. The Recommendations of the Magistrate Judge (Doc. #5, #6 & #7) filed on March 25, 2009 are adopted;
3. The plaintiff's motion to certify class as a class action is DENIED.
4. The plaintiff's motion for preliminary injunction is DENIED.
5. The plaintiff's claims against Eric Holder, the Alabama Board of Adjustment and Richard Allen are DISMISSED with prejudice prior to service pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(i).
6. Eric Holder, the Alabama Board of Adjustment and Richard Allen are DISMISSED as defendants in this cause of action.

7. The plaintiff's equal protection and monetary deduction claims are DISMISSED with prejudice prior to service in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

8. The plaintiff's challenge to the constitutionality of his 1993 sentence for distribution of a controlled substance is DISMISSED without prejudice prior to service in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii).

9. This case is referred back to the magistrate judge for appropriate proceedings.

DONE this 21<sup>st</sup> day of April, 2009.



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TRUMAN M. HOBBS  
SENIOR UNITED STATES DISTRICT JUDGE