

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

ALVIN JAMES JOHNSON,

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Plaintiff,

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v.

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CIVIL ACTION NO. 2:09-CV-385-TMH

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[WO]

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DISTRICT ATTORNEY ELLEN BROOKS)

and DETECTIVE MIKE MYRICK,

)

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Defendants.

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ORDER ON MOTION

Upon consideration of the motion to amend filed by the plaintiff on May 11, 2009 (Court Doc. No. 6), in which the plaintiff seeks to add Montgomery County, Alabama as a defendant in this cause of action based on the assertion such entity is responsible for the actions of defendant Brooks regarding discovery in his pending criminal case, and as the plaintiff has no basis on which to proceed before this court on claims challenging the constitutionality of actions undertaken in his pending criminal case, *Younger v. Harris*, 401 U.S. 37, 43-44 (1971), it is

ORDERED that this motion be and is hereby DENIED.

Done this 12th day of May, 2009.

/s/ Terry F. Moorer

TERRY F. MOORER

UNITED STATES MAGISTRATE JUDGE

