

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

JAMES CALVIN FRAZIER, #177281,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:11-cv-0159-TMH
)	
BEN FULLER,)	
)	
Defendant.)	

ORDER

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

(1) The plaintiff's Objection to the Magistrate Judge Recommendation (Doc. #5) filed on March 21, 2011 is overruled;

(2) The Recommendation of the United States Magistrate Judge (Doc. #4) entered on March 8, 2011 is adopted;

(3) Plaintiff's challenges to orders issued and/or actions taken by Judge Ben Fuller on petitions/motions litigated in the Circuit Court of Autauga County, Alabama, are DISMISSED with prejudice prior to service of process in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

(4) The plaintiff's claims attacking the legality of the sentence imposed upon him by the Circuit Court of Autauga County, Alabama, for second degree theft of property is summarily dismissed pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii).

(5) This case is DISMISSED.

DONE this the 29th day of March, 2011.

/s/ Truman M. Hobbs
SENIOR UNITED STATES DISTRICT JUDGE