

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

HENRY GAINES, #113380,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 2:11-cv-749-TMH
	)	WO
ALABAMA BOARD OF PARDONS	)	
AND PAROLES, <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. #14) to the Recommendation of the Magistrate Judge filed on December 13, 2011 is overruled;

2. The Recommendation of the Magistrate Judge (Doc. #11) filed on November 22, 2011 is adopted;

3. Plaintiff's claims against the Alabama Board of Pardons and Paroles are DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(i).

4. Plaintiff's claims for damages against defendants Dillard, Wynn, Longshore, and Walker are DISMISSED with prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(iii).

5. Plaintiff's claims asserting error in denying him parole and causing his illegal confinement are DISMISSED without prejudice in accordance with the directives of 28

U.S.C. § 1915(e)(2)(B)(ii).

6. This case is DISMISSED prior to service of process.

DONE this the 20th day of January, 2012.

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