

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

BETTY JACKSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:11-CV-882-WKW
	)	
SUSAN ROSS STROM, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On October 26, 2011, the Magistrate Judge filed a recommendation that this case be dismissed because Plaintiff Jackson's 42 U.S.C. § 1983 claims do not entitle her to relief. (Doc. # 4.) The recommendation concluded that Plaintiff cannot maintain a claim for injunctive relief against Defendants because they were acting in their judicial capacity during the family court proceeding at issue in this case. (Doc. # 4 at 2-3.) Plaintiff filed a letter with the court, which will be construed as an objection to the recommendation. (Doc. # 5.) The portions of the recommendation to which a party objects are reviewed *de novo*. 28 U.S.C. § 636(b)(1).

A *de novo* review of the record and law confirms that the recommendation (Doc. # 4) is due to be adopted and the objection overruled. No new evidence is offered to support any of Plaintiff's contentions. Furthermore, Plaintiff concedes that judges are immune from the suit she filed. (Doc. # 5 at 1.) The objections to the

recommendation are cumulative of arguments made previously by Plaintiff in support of her suit and amount to a plea not to dismiss this case because she is not an attorney and because she thinks she might be able to find some evidence to support her contentions. Plaintiff's invitation to overlook procedure and the absence of evidence is declined. Therefore, it is ORDERED as follows:

- (1) Plaintiff's objection (Doc. # 5) is OVERRULED;
- (2) the Recommendation of the Magistrate Judge is ADOPTED; and
- (3) this case is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B), as

Plaintiff may not maintain a claim for injunctive relief against Defendants Storm and Huff, pursuant to 42 U.S.C. § 1983.

DONE this 27th day of December, 2011.

/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE