

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

DANNY LAMAR ADDIE, #152701,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. 2:12-cv-297-WHA
)	
WILLIAM W. WYNN, JR., et al.,)	(WO)
)	
Defendants.)	

ORDER

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #34), entered on April 29, 2015, and the Plaintiff’s Objections (Doc. #36), filed on May 14, 2015.

The court has conducted an independent evaluation and *de novo* review of the file in this case. Plaintiff makes four objections to the Recommendation.

First, the Plaintiff argues that the Magistrate Judge abused his discretion by denying Plaintiff’s interrogatories without properly filed objections from the Defendants. The objection, however, is late. The ruling that denied Plaintiff’s Motion to Compel Responses to Interrogatories was entered on July 17, 2012, and the Plaintiff had fourteen (14) days thereafter to file an objection to the ruling. *See* Rule 72(a), *Fed.R.Civ.P.* Therefore, the current objection is untimely.

Second, the Plaintiff argues that the Magistrate Judge improperly held that the Defendants had met their evidentiary burden and demonstrated an absence of any genuine dispute of material fact. Plaintiff’s fourth objection is a variation on his second. As to both of these, the court has considered the Magistrate Judge’s explanation shown on pages 14-16 of the

Recommendation, and the court agrees with his findings. Therefore, these two objections are found to be without merit.

Finally, the Plaintiff argues that the Magistrate Judge erred in finding that the Plaintiff failed to create a genuine dispute whether sex offenders are similarly situated to non-sex offenders. The question presented here, however, concerns the grounds for parole, not the way inmates are treated in prison. In denying Plaintiff parole, the Defendants evaluated the relevant factors such as the inmate's record, offense, potential for future violence, community attitude, home and job plan, and any other relevant factors presented to the Board. *See* pages 9 and 15 of the Recommendation.

For the reasons stated above, it is hereby ORDERED as follows:

1. Plaintiff's objections are OVERRULED.
2. The court ADOPTS the Recommendation of the Magistrate Judge.
3. This case is DISMISSED with prejudice.
4. The costs are taxed against the Plaintiff.

DONE this 1st day of July, 2015.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE