

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

CHRISTOPHER LEWIS BARROW,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 2:12-cv-0656-TMH
	)	WO
ANTHONY G. ELLIS, <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. #16) filed on October 22, 2012 to the Recommendation of the Magistrate Judge is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #10) filed on October 4, 2012 is adopted;
3. The § 1983 claims presented against defendants Scarbrough, McAliley, and Anderson are DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i) & (iii);
4. Defendants Scarbrough, McAliley, and Anderson are DISMISSED as parties to the complaint;
5. Plaintiff's challenges to the constitutionality of his pending criminal charges are DISMISSED without prejudice pursuant to the provision of 28 U.S.C. § 1915(e)(2)(B)(ii)

as such claims are not properly before the court at this time; and

6. This case, with respect to plaintiff's complaint against defendant Ellis is referred back to the Magistrate Judge for further proceedings.

DONE this the 6th day of November, 2012.

/s/ Truman M. Hobbs

TRUMAN M. HOBBS  
SENIOR UNITED STATES DISTRICT JUDGE