

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

CHRISTOPHER O. HENDERSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:12-cv-1066-TMH
	)	[wo]
TALLASSEE POLICE DEPT.,	)	
	)	
Defendant.	)	

**OPINION and ORDER**

On June 19, 2014, the Magistrate Judge filed a Recommendation dismissing this case prior to service of process in accordance with 28 U.S.C. § 1915(e)(2)(B)(i)(ii). (Doc. 4). Specifically, the court held that Plaintiff’s challenge to the constitutionality of the initial charge lodged against him in October of 2003 be dismissed with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) as the plaintiff failed to file the complaint within the time prescribed by the applicable period of limitation. The court further held that to the extent Plaintiff presents claims which challenge the constitutionality of a sexual abuse conviction imposed upon him by the Circuit Court of Elmore County, Alabama, that these claims be summarily dismissed pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) as such claims are not cognizable in the instant civil action. No timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be

and is hereby ADOPTED, and this case is hereby DISMISSED with prejudice. A

Judgment in favor of the Defendant shall be forthcoming.

DONE this 23rd day of July, 2014.

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