

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

EDDIE LEE FOSTER, #143404,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. 2:13-cv-288-WHA
)	
CYNTHIA DILLARD, et al.,)	(WO)
)	
Defendants.)	

ORDER

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #64), entered on April 12, 2016, together with the Plaintiff’s Objections (Doc. #65), filed on May 2, 2016.

The court has conducted an independent evaluation and *de novo* review of the file in this case and, having done so, finds the objections to be without merit.

In the Recommendation, the Magistrate Judge extensively addressed each of the Plaintiff’s claims for relief and determined that the Defendants were entitled to summary judgment. In his objections, the Plaintiff merely repeats his claims for relief and makes the conclusory statement that general material disputes exist. The “material disputes” referenced by the Plaintiff relate to his disagreement with the findings set forth in the Recommendation and do not present a genuine dispute of the material facts before the court. For instance, the Plaintiff alleges that state law governing parole is unconstitutional because it provides complete discretion to the parole board to determine who should be released on parole and does not provide criteria for entitlement to parole, and asserts his purely subjective belief that the form letter advising him

of the denial of parole, which expresses the Board's "hope" of his cooperation with prison officials so that he may receive potential benefits, constituted a contractual agreement creating an expectation of being released on parole.

The court agrees with the analysis and well-reasoned findings of the Magistrate Judge, and finds the Plaintiff's objections to be without merit. Therefore, it is hereby ORDERED as follows:

1. Plaintiff's objections are OVERRULED.
2. The court ADOPTS the Recommendation of the Magistrate Judge.
3. The Defendants' motion for summary judgment is GRANTED, and judgment is entered in favor of the Defendants.
4. Pursuant to 28 U.S.C. § 1367(c)(3), the court declines to exercise supplemental jurisdiction over the state law claim, and the state law claim is DISMISSED without prejudice.
5. Costs are taxed against the Plaintiff.

DONE this 25th day of May, 2016.

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