

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

BRANDON MARQUIS PUGH, #254312,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:13-cv-0509-TMH
)	WO
MARY B. WINDOM, <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. #9) to the Recommendation of the Magistrate Judge filed on October 18, 2013 is overruled;

2. The Recommendation of the Magistrate Judge (Doc. #8) entered on October 7, 2013 is adopted;

3. The § 1983 claims presented against Defendants Windom, Dodd, and Strange are DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i) & (iii);

4. Plaintiff's challenges to the constitutionality of his probation revocation and/or the conviction and sentence imposed upon him by a state court are DISMISSED without prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) as such claims are not properly before the court at this time;

5. This case is DISMISSED prior to service of process in accordance with the

provisions of 28 U.S.C. § 1915(e)(2)(B)(i)-(iii).

DONE this the 21st day of November, 2013.

/s/ Truman M. Hobbs

TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE