

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

STEPHANIE SUZANNE METZGER,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:13cv567-WHA
)	
JUDGE McGUIRE,)	
)	
Defendant.)	

ORDER

No timely objection having been filed to the Recommendation of the Magistrate Judge (Doc. #6), entered on October 23, 2013, and after a review of the file, the court ADOPTS the Recommendation of the Magistrate Judge, and it is hereby ORDERED as follows:

1. The Plaintiff’s challenges to orders issued and/or actions taken by Judge Frank McGuire related to orders of restitution issued in criminal proceedings before the District Court of Covington County, Alabama, are DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

2. The Plaintiff’s challenges to the constitutionality of her Covington County convictions and current incarceration on the resulting sentences 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 in this action.

3. This case is DISMISSED prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

Done this the 13th day of November, 2013.

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