

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

LEON CHAPPELL, #236111, a/k/a	)	
WILBUR LEON SMITH,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. 2:13cv-811-WHA
	)	
MONTGOMERY CO. COURTROOM,	)	(WO)
JUDGE TRACEY MCCOOEY, et al.,	)	
	)	
Defendants.	)	

**ORDER**

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #14), entered on December 19, 2013, and the Plaintiff's Objection (Doc. #15), filed by the Plaintiff on January 2, 2014. Following an independent evaluation and *de novo* review of the file, the court finds the objection to be without merit, and it is hereby OVERRULED. The court ADOPTS the Recommendation of the Magistrate Judge, and it is hereby ORDERED as follows:

1. The § 1983 claims presented against the named Defendants are DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i) and/or (iii).
2. Plaintiff's challenge to the constitutionality of a conviction and/or sentence imposed upon him by a state court is 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.
3. This case is DISMISSED prior to service of process in accordance with the directions of 28 U.S.C. § 1915(e)(2)(B)(i), (ii) and/or (iii).

DONE this 9th day of January, 2014.

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