

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

DAVID A. CAWTHON,)
)
Plaintiff,)
)
v.)
)
MELISSA HEMINGWAY, et al.,)
sued in their)
individual and official)
capacities,)
)
Defendants.)

CIVIL ACTION NO.
2:15cv429-MHT
(WO)

OPINION AND ORDER

The plaintiff, a federal prisoner, filed this case under the Administrative Procedures Act, 5 U.S.C. §§ 551-559, and Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971), challenging the adequacy of the Montgomery Federal Prison Camp's law library, and specifically the decision of defendant Melissa Hemingway to discard the American Jurisprudence treatise series and to take away certain electronic typewriters with memory and replace them with simple

manual ones. This case is before the court on the recommendation of the United States Magistrate Judge that the motion--incorporated in plaintiff's complaint--for preliminary injunction and/or protective order be denied. Also before the court are plaintiff's objections to the recommendation. Upon an independent and de novo review of the record, it is ORDERED as follows:

(1) Plaintiff's objections (doc. no. 69) are overruled.

(2) The recommendation of the United States Magistrate Judge (doc. no. 31) is adopted.

(3) The motion for preliminary injunction and/or protective order (doc. no. 1) is denied.

It is further ORDERED that this case is referred back to the magistrate judge for further proceedings.

DONE, this the 7th day of June, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE