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

MATTHEW BAILEY, #290472,)
)
Plaintiff,)
)
V.)
)
TRUMAN M. HOBBS, JR., and)
SHERRI MAZUR,)
)
Defendants.)

CASE NO. 2:16-CV-922-WKW [WO]

ORDER

Before the court is the Recommendation of the Magistrate Judge. (Doc. # 6.) There being no timely objection filed to the Recommendation, and based on a review of the record, it is ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 6) is ADOPTED;

2. Plaintiff's claims against Judge Truman M. Hobbs, Jr., and Assistant District Attorney Sherri Mazur seeking declaratory and injunctive relief are DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(i);

3. Plaintiff's claims against Judge Truman M. Hobbs, Jr., and Assistant District Attorney Sherri Mazur seeking monetary damages are DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(iii);

4. Plaintiff's challenge to the constitutionality of his state-court sentence is DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii);

5. Plaintiff's motion for preliminary injunction (Doc. # 1) is DENIED; and

6. This case is DISMISSED prior to service of process under 28 U.S.C.§ 1915(e)(2)(B)(i), (ii), and (iii).

A final judgment will be entered separately.

DONE this 28th day of February, 2017.

/s/ W. Keith Watkins CHIEF UNITED STATES DISTRICT JUDGE

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