Cannon v. Smithart et al (INMATE 1) Doc. 12

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

BRYAN D. CANNON, #300397,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACT. NO. 2:18cv-532-ECM
	)	(WO)
	)	
L. BERNARD SMITHART and	)	
RaSHAWN F. HARRIS,	)	
	)	
Defendants.	)	

O R D E R

On August 31, 2018, the Magistrate Judge entered a Recommendation (doc. # 10) to which no timely objections have been filed. Upon an independent review of the file and upon consideration of the Recommendation, it is ORDERED that:

1. The Recommendation of the Magistrate Judge is ADOPTED.

2. The plaintiff's claims against Judge L. Bernard Smithart and Clerk RaShawn F. Harris are DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).

3. The plaintiff's pendent state claims are dismissed without prejudice to the rights of the plaintiff to seek relief on these claims before the appropriate state tribunal.

4. This case is summarily dismissed.

A separate Final Judgment will be entered.

DONE this 10th day of October, 2018.

/s/ Emily C. Marks
EMILY C. MARKS
UNITED STATES DISTRICT JUDGE

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