

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

KOWAN PLAIN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIV. ACT. NO. 2:19-cv-115-ECM
	)	(WO)
TODD STRANGE, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION and ORDER**

Now pending before the court is the Report and Recommendation of the Magistrate Judge (doc. 12) which recommends that this case be dismissed prior to service of process pursuant to 28 U.S.C. § 1915(e). On February 5, 2020, the Plaintiff filed a response to the Recommendation which the Court construes as objections to the Recommendation. (Doc. 13).

The Court has carefully reviewed the record in this case, including the Magistrate Judge’s Report and Recommendation, and the Plaintiff’s objections. *See* 28 U.S.C. § 636(b). In his objections, the Plaintiff concedes that he failed to file an amended complaint in accordance with the orders of the Court. To date, he has still failed to file an amended complaint. Accordingly, it is

ORDERED as follows:

1. The Plaintiff’s objections (doc. 13) are **OVERRULED**;
2. The Plaintiff’s Request for a Preliminary Injunction (doc. 8) is **DENIED** as

moot;

3. The Recommendation of the Magistrate Judge (doc. 12) is ADOPTED; and
4. This case is DISMISSED without prejudice.

A final judgment will be entered.

DONE this 12th day of March, 2020.

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