Dorsey v. Grissett (INMATE 2) Doc. 5

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

MICHAEL PERNELL DORSEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACT. NO. 3:19-cv-755-ECM
	)	(WO)
HON. LARRY R. GRISSETT	)	
	)	
Defendant.	)	

MEMORANDUM OPINION and ORDER

On November 25, 2019, the Magistrate Judge entered a Recommendation (doc. 4) to which no timely objections have been filed. After an independent review of the file and upon consideration of the Recommendation, and for good cause, it is

ORDERED that as follows:

1. the Recommendation of the Magistrate Judge is ADOPTED;

2. the Plaintiff's § 1983 claims against Defendant Grissett are DISMISSED with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii);

3. the Plaintiff's challenge to the constitutionality of the conviction and/or sentence imposed upon him by the Circuit Court of Covington County, Alabama are DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) as these claims are not properly before this Court at this time; and

4. this case is DISMISSED prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

Dockets.Justia.com

A separate Final Judgment will be entered.

Done this 19th day of December, 2019.

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