

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

JAMES CARL PRITCHARD, JR., )  
individually, and )  
GAYNELLE P. WILLOUGHBY, )  
individually, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
ALABAMA POWER COMPANY, )  
 )  
Defendant. )

CIVIL ACTION NO.  
3:11cv228-MHT  
(WO)

OPINION

Plaintiffs James Carl Pritchard, Jr. and Gaynelle P. Willoughby have filed this lawsuit against defendant Alabama Power Company complaining about ongoing state litigation. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that Pritchard and Willoughby's case should be dismissed without prejudice. Also before the court are Pritchard and Willoughby's objections to the recommendation. After an independent and de novo review of the record, the court concludes that Pritchard and Willoughby's

objections should be overruled and the magistrate judge's recommendation adopted.

An appropriate judgment will be entered.

DONE, this the 17th day of August, 2011.

          /s/ Myron H. Thompson            
UNITED STATES DISTRICT JUDGE