

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

JAMES BEAUFORD LAMB, JR.,            )  
  )  
                  Plaintiff,                                    )  
  )  
                  v.    ) CASE NO. 3:14-CV-708-WKW  
  )  
MARK ALLEN TREADWELL,                )  
  )  
                  Defendant.                                    )

**ORDER**

This litigation is now before the court on the recommendation of the United States Magistrate Judge entered on September 29, 2014, (Doc. # 5), that this case be dismissed. No timely objections have been filed to the Recommendation. After a review of the Recommendation and upon an independent review of the entire record, it is ORDERED that:

1. The Recommendation is ADOPTED;
2. Plaintiff's § 1983 claims against Defendant Mark Treadwell are DISMISSED with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i);
3. To the extent that Plaintiff seeks to challenge the constitutionality of the convictions and sentence imposed upon him by the Circuit Court of Tallapoosa County, Alabama, those claims are DISMISSED without prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii); and

4. This case is DISMISSED prior to service of process.

A separate final judgment will be entered.

DONE this 22nd day of October, 2014.

/s/ W. Keith Watkins

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CHIEF UNITED STATES DISTRICT JUDGE