

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

CHARLIE FRANK DARDY,
#116706,

Plaintiff,

v.

CHRISTOPHER J. HUGHES,

Defendant.

CASE NO. 3:16-CV-842-WKW
[WO]

CHARLIE FRANK DARDY,
#116706,

Plaintiff,

v.

CHRISTOPHER J. HUGHES and
KISHA ABERCROMBIE,

Defendants.

CASE NO. 3:16-CV-897-WKW
[WO]

ORDER

Before the court is the Recommendation of the Magistrate Judge. (Doc. # 11.)

There being no timely objection filed to the Recommendation, and based on a review of the record, it is ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 11) is ADOPTED;

2. Plaintiff's claims are DISMISSED with prejudice as time-barred under 28 U.S.C. § 1915(e)(2)(B)(i);

3. Plaintiff's § 1983 claims are DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(i) and (iii);

4. Plaintiff's challenge to the constitutionality of his conviction and/or sentence is DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii); and

5. This case is DISMISSED prior to service of process under 28 U.S.C. § 1915(e)(2)(B)(i), (ii), and (iii).

A final judgment will be entered separately.

DONE this 22nd day of March, 2017.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE