Surles v. Lee County Circuit Court et al (INMATE 2) Doc. 6

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

ALTON LeVON SURLES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIV. ACT. NO. 3:18cv599-ECM
	)	[WO]
LEE COUNTY CIRCUIT COURTS, *et al.*,	)	
	)	
Defendants.	)	

OPINION and ORDER

Before the court is the Recommendation of the Magistrate Judge entered July 9, 2018 (doc. # 4). There being no timely objection filed to the Recommendation, and based on an independent and *de novo* review of the record, the Recommendation of the Magistrate Judge (Doc. 4) is ADOPTED and it is ORDERED as follows:

1. Plaintiff's 42 U.S.C. § 1983 claims against Defendants are DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(i);

2. Plaintiff's request for injunctive relief which would entail intervention by this court into the pending state criminal proceedings is DISMISSED without prejudice under the *Younger* abstention doctrine so Plaintiff may pursue his claims in the state courts; and

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

A Final Judgment will be entered separately.

DONE this 31st day of August, 2018.

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

Dockets.Justia.com