

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

EARNEST J. FILES, JR.,)
)
Plaintiff,)
)
v.)
)
JEREMY DUERR, Tallapoosa)
County District Attorney,)
et al.,)
)
Defendants.)

CIVIL ACTION NO.
3:20cv387-MHT
(WO)

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state prisoner, filed this lawsuit challenging the constitutionality of his arrests on April 13, 2010, and December 1, 2011, his imprisonment on the charges related to these arrests, the arrest warrants issued by deputy clerks of the Tallapoosa County Circuit Court as to such charges, and the actions of his attorneys, the prosecutors, and state court judges during various criminal proceedings. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's case be summarily

dismissed. There are no objections to the recommendation, although plaintiff did file an amended complaint after the recommendation was issued. The magistrate judge allowed the amended complaint but determined that the amendment did not require alteration of the recommendation. After an independent and de novo review of the record, including the amended complaint, the court concludes that the magistrate judge's recommendation should be adopted and the case should be dismissed.

An appropriate judgment will be entered.

DONE, this the 2nd day of November, 2020.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE