

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

|                               |   |                                   |
|-------------------------------|---|-----------------------------------|
| <b>FREDERICK L. BOYD,</b>     | ) |                                   |
|                               | ) |                                   |
| <b>Plaintiff</b>              | ) |                                   |
|                               | ) |                                   |
| <b>vs.</b>                    | ) | <b>Case No. 1:14-cv-01110-VEH</b> |
|                               | ) |                                   |
| <b>FREDERICK MONTEZ BOYD,</b> | ) |                                   |
|                               | ) |                                   |
| <b>Defendant</b>              | ) |                                   |

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**ORDER**

On August 31, 2015, the magistrate judge’s report and recommendation was entered with respect to the Motion to Approve Distribution of Interplead Funds filed by defendant Frederick Montez Boyd, and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. No party has filed objections to the magistrate judge’s report and recommendation.

After careful consideration of the record in this case and the magistrate judge’s report and recommendation, the court hereby **ADOPTS** the report of the magistrate judge. The court further **ACCEPTS** the recommendations of the magistrate judge. It is, therefore, **ORDERED, ADJUDGED, and DECREED** that this court will hold an evidentiary hearing, on a date after six months from the entry of this order, to determine

whether Frederick Montez Boyd has established, by a preponderance of the evidence, that the killing of Cormella Boyd by Frederick Boyd was “felonious and intentional” under *Ala. Code* § 43-8-253(c), in order to determine the proper party to whom the interpled funds should be distributed.

**DONE and ORDERED** this 16th day of September, 2015.

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**VIRGINIA EMERSON HOPKINS**  
United States District Judge