

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

**TIVON ROLLIE THOMAS,** )

**Plaintiff,** )

**vs.** )

**MARTY SELLERS, et al.,** )

**Defendants.** )

**Case No. 1:14-cv-2158-CLS-JEO**

**MEMORANDUM OF OPINION**

The magistrate judge filed a report and recommendation on June 10, 2015, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for lack of subject matter jurisdiction and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1) and/or (2). No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be, and it hereby is, **ADOPTED**, and the recommendation is **ACCEPTED**. Accordingly, the complaint is due to be dismissed for lack of subject matter jurisdiction and for failure to state a claim upon which relief may be granted pursuant to under 28 U.S.C. § 1915A(b)(1) and/or (2). A Final

Judgment will be entered.

DONE this 15th day of July, 2015.

A handwritten signature in black ink, reading "Lynwood Smith". The signature is written in a cursive style with a large initial "L".

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United States District Judge