

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

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|----------------------|---|--------------------------------|
| JULIUS LASHAWN |) | |
| DEBARDLABON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | Case No. 1:20-cv-00786-MHH-SGC |
| v. |) | |
| |) | |
| JAMES SMOOT, et al., |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM OPINION

The magistrate judge entered a report on January 13, 2021, recommending the plaintiff’s claims against defendant James Smoot arising after May 31, 2018, be dismissed without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failing to state a claim upon which relief may be granted and that the plaintiff’s claims against defendants Jason Blankenship, Lucas Iverson, and James Smoot arising prior to May 31, 2018, be dismissed with prejudice as barred by the statute of limitations. (Doc. 6). The magistrate judge advised the plaintiff of his right to file specific written objections within 14 days. (*Id.* at 17-18).


On February 5, 2021, the court received a motion for extension of time from the plaintiff. (Doc. 7). By an order dated February 8, 2021, the magistrate judge extended the plaintiff’s time for filing objections through February 26, 2021. (Doc.

8). The extended deadline has now expired, and the court has not received objections or another response from Mr. Debardlabon.

Having reviewed the electronic file in this case, including the report and recommendation, the Court adopts the magistrate judge's report and accepts her recommendation. Therefore, Mr. Debardlabon's claims against defendant James Smoot arising after May 31, 2018, are dismissed without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failing to state a claim upon which relief may be granted and Mr. Debardlabon's claims against defendants Jason Blankenship, Lucas Iverson, and James Smoot arising prior to May 31, 2018, are dismissed with prejudice because those claims are barred by the statute of limitations.

By separate order, the Court will close this file.

DONE and **ORDERED** this May 24, 2021.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE