

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

JERRY WAYNE McNEELY,	}	
	}	
Plaintiff,	}	
	}	
v.	}	Case No.: 2:14-cv-02107-RDP
	}	
MARK CROSSWHITE, et. al.,	}	
	}	
Defendants.	}	

MEMORANDUM OPINION


On November 19, 2014, the Magistrate Judge’s Report and Recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the Magistrate Judge. The time to file objections to the Report and Recommendation has passed, and no objections were filed by either party. In accordance with the court’s General Order, the case is now before the undersigned for all further proceedings.

Having carefully reviewed and considered all the materials in the court’s file, including the Report and Recommendation, the court hereby **ADOPTS** the Report of the Magistrate Judge. The court further **ACCEPTS** the recommendations of the Magistrate Judge that (1) Plaintiff’s request to proceed *in forma pauperis* is due to be granted, and (2) Plaintiff’s Complaint is due to be dismissed in its entirety for lack of federal subject matter jurisdiction.¹

A separate order in accordance with this Memorandum Opinion will be entered.

¹ In addition, as the Magistrate Judge’s Report and Recommendation notes, Plaintiff’s motion seeking an order restoring electrical service (Doc. 3) cannot be addressed by a court that lacks subject matter jurisdiction. Accordingly Plaintiff’s Motion (Doc. 3) is **MOOT**.

DONE and **ORDERED** this December 8, 2014.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE