

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION

ANTHONY ALVIN BAKER, )  
 )  
 Plaintiff )  
 )  
 vs. )  
 )  
 STATE OF ALABAMA, et al., )  
 )  
 Defendants )

Case No. 5:12-cv-01939-IPJ-HGD

**MEMORANDUM OF OPINION**

The magistrate judge filed a report and recommendation on May 29, 2013, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted. (Doc. 8). On June 17, 2013, plaintiff filed a motion for extension of time to file objections. Plaintiff’s motion was granted, and the objection deadline was extended to July 5, 2013. On June 20, 2013, plaintiff filed objections to the report and recommendation. (Doc. 10).

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the court is of the opinion that the magistrate judge’s report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is

due to be dismissed pursuant to 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted. A Final Judgment will be entered.

DATED this 18<sup>th</sup> day of July, 2013.

A handwritten signature in black ink, reading "Inge Prytz Johnson". The signature is written in a cursive style with a long, sweeping tail on the "n" of Johnson.

---

INGE PRYTZ JOHNSON  
SENIOR U.S. DISTRICT JUDGE