

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

EDWARD RUSSELL DUBOSE,)

Plaintiff)

vs.)

WILLIAM W. WYNNE, JR., et al.,)

Defendants)

Case No. 5:13-cv-01721-KOB-HGD

MEMORANDUM OPINION

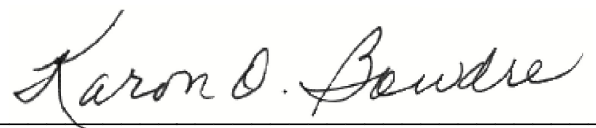
The magistrate judge filed a report and recommendation on September 24, 2014, recommending that the following claims be dismissed for failing to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1): (1) the plaintiff’s claims against the Alabama Board of Pardons and Paroles (“ABPP”) because it is immune from suit; (2) the plaintiff’s request for a written statement from the ABPP explaining its reasons for denying him parole because he has no constitutional right to such an explanation; and (3) the plaintiff’s request that restrictions be removed from his prison file that bar him from a lower custody level and work release because he has no constitutionally protected right in his classification status. (Doc. 12). The magistrate judge further recommended that the

plaintiff's Fourteenth Amendment due process claims against defendants Wynne, Walker, and Longshore be referred to the magistrate judge for further proceedings. (*Id.*) No party has filed any objections.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court ADOPTS the magistrate judge's report and ACCEPTS his recommendation. The court finds that all of the plaintiff's claims in this action, *except* his Fourteenth Amendment due process claims against defendants Wynne, Walker, and Longshore, are due to be DISMISSED pursuant to 28 U.S.C. § 1915A(b)(1). The court further finds that the plaintiff's Fourteenth Amendment due process claims against defendants Wynne, Walker, and Longshore should be REFERRED to the magistrate judge for further proceedings.

The court will enter an Order in conformity with this Memorandum Opinion.

DONE and ORDERED this 19th day of November, 2014.



KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE