

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

PATRICK J. CHAREST, #182202,)	
)	
Plaintiff,)	
)	
vs.)	CIV. ACT. NO. 1:20-cv-214-TFM-N
)	
GOVERNOR KAY IVEY, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

On March 12, 2021, the Magistrate Judge entered a report and recommendation which recommends Plaintiff's Amended Complaint be denied. *See* Doc. 32. Plaintiff timely filed objections. *See* Doc. 33.

A review of Plaintiff's objections reviews that he objects to the case being referred to the Magistrate Judge and her "usurpation of oath of office." Those objections are without merit and overruled. Also, to the extent Plaintiff seeks appointment of counsel through his objections, that request is also denied. The remaining objections do not address the legal analysis of the recommendation, but merely reiterate Plaintiff's belief that those conclusions are wrong. The Court disagrees and overrules his objections.

Therefore, after due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge is **ADOPTED**. Accordingly, it is **ORDERED** that Plaintiff's Amended Complaint (Doc. 26), which the Court construes as a Motion to Amend is **DENIED** and this case is still controlled by the original complaint.

This case is **REFERRED BACK** to the Magistrate Judge for further proceedings.

DONE and **ORDERED** this 8th day of July, 2021.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES DISTRICT JUDGE