

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

SYLVESTER ELLIOTT, JR., #322733,	:	
Plaintiff,	:	
vs.	:	CIVIL ACTION 21-0154-KD-MU
EARNEST EVANS, <i>et al.</i> ,	:	
Defendants.	:	

**JUDGMENT**

In accordance with the Order entered this date, adopting the Report and Recommendation of the Magistrate Judge, it is **ORDERED, ADJUDGED**, and **DECREED** that this action is **DISMISSED** without prejudice, prior to service of process, pursuant to 28 U.S.C. § 1915A(b)(1) because the claims are either frivolous or fail to state a claim upon which relief can be granted.

**DONE** and **ORDERED** this 17th day of November 2021.

s/ Kristi K. DuBose  
KRISTI K. DuBOSE  
UNITED STATES DISTRICT JUDGE