

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

ALBERTO TREJO, # 266435,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIV. ACT. NO. 1:21-cv-390-TFM-B
	)	
STATE OF ALABAMA, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION AND ORDER**

On November 12, 2021, the Magistrate Judge entered a report and recommendation which recommends Plaintiff's motion for preliminary injunction (Doc. 26) be denied. *See* Doc. 28. Plaintiff's objections were signed on November 24, 2021 though the postmark reflects December 8, 2021 and received by the Court on December 10, 2021. *See* Doc. 30. Regardless, the Court will consider the objections as timely filed.

Though the allegations Plaintiff makes are serious, the Court finds no fault with the analysis by the Magistrate Judge. Further, to the extent Plaintiff seeks to supplement his allegations and facts through an objection, those cannot be raised for the first time in the objections. As such, the objections are overruled as the current complaint is insufficient to establish the elements for a preliminary injunction. Plaintiff is reminded of the previous order that he file an amended complaint on the correct form. *See* Doc. 29.

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 Recommendation to which objection is made, the Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Plaintiff's motion for preliminary injunction (Doc. 26) is

**DENIED.** Along with a copy of this order, the Clerk of Court is **DIRECTED** to resend a copy of the Magistrate Judge's order from November 29, 2021 (Doc. 29).

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

**DONE** and **ORDERED** this 29th day of December, 2021.

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