

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

MICHAEL DAVIS WILLIAMS,)
v.)
Plaintiff,)
v.) Case No. 2:14-cv-1411-KOB-TMP
SHERIFF MIKE HALE, et al.,)
Defendants.)

ORDER

The magistrate judge filed a report and recommendation on May 21, 2015, recommending that the plaintiff's motion to amend the complaint (doc. 11) be granted, but his motion for injunctive relief (doc. 13) be denied. The magistrate judge further recommended that all claims against all defendants be dismissed pursuant to 28 U.S.C. § 1915A(b)(1) and/or (2), except for the plaintiff's claim of conspiracy to retaliate against him as to defendants Nappier, Miller and the unidentified Jefferson County Jail deputies. Finally, the magistrate judge recommended that the plaintiff's claim of conspiracy to retaliate against defendants Nappier, Miller and the unidentified Jefferson County Jail deputies be referred to him for further proceedings. The plaintiff filed an objection to the report and recommendation on June 15, 2015. (Doc. 27).

The plaintiff objects to the dismissal of his claim that unidentified Jefferson County Jail deputies deprived him of property without due process of law. He contends that he filed a claim (“Claim No 999-20150347”) with the State of Alabama Board of Adjustment, but the claim was denied on the ground that the Board does “not have jurisdiction over Jefferson County Deputies [or] such agency.” (*Id.*). Regardless, as reported by the magistrate judge (doc. 24 at 15), a civil lawsuit for conversion exists in the State of Alabama. This state court post-deprivation remedy is adequate for due process purposes. Therefore, the plaintiff’s objection is

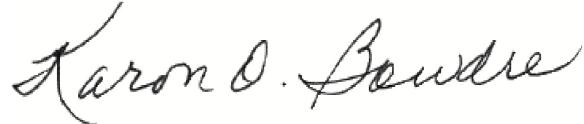
OVERRULED.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objection thereto, the court finds that the magistrate judge’s report is due to be and is **ADOPTED** and the magistrate judge’s recommendation is **ACCEPTED**. The court, therefore, **ORDERS** that the plaintiff’s motion to amend the complaint (doc. 11) is **GRANTED**, but his motion for injunctive relief (doc. 13) is **DENIED**.

The court further **ORDERS** that all claims against all defendants be **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1) and/or (2), *except* for the claim of conspiracy to retaliate against defendants Nappier, Miller and the unidentified Jefferson County Jail deputies. Finally, the court **ORDERS** that the claim of

conspiracy to retaliate brought against defendants Nappier, Miller and the unidentified Jefferson County Jail deputies is **REFERRED** to the magistrate judge for further proceedings.

DATED this 14th day of July, 2015.



KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE