

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA, NORTHERN DIVISION**

Johnnie L. Raley v. Jonathan Pitts, et al.

Raley · No. 2:24-cv-340-RAH · Decided December 1, 2025

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION JOHNNIE L. RALEY,)) Plaintiff,)) v.) Case No. 2:24-cv-340-RAH)
JONATHAN PITTS, et al.,)) Defendants.) ORDER On October 29, 2025, the Magistrate Judge
recommended that Raley’s Amended Complaint be dismissed in its entirety because it fails to state
§ 1983 claims for false arrest under the First and Fourth Amendments and fails to sufficiently raise
any state-law claims.

Raley did not file an objection, and therefore this Court considers the Recommendation for clear
error. See *Macort v. Prem,, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006) (per curiam) (citations
omitted) (“Most circuits agree that ‘[i]n the absence of a timely filed objection, a district court
need not conduct a de novo review, but instead must only satisfy itself that there is no clear error
on the face of the record in order to accept the recommendation.’”).

Upon an independent review of the file and upon consideration of the Recommendation of the
Magistrate Judge, this Court concludes that Count One sufficiently states a Fourth Amendment
false/wrongful arrest claim (see doc. 17 at 12) against Defendants Jonathan Pitts, Clay Conway
and Mike Cheshire as tied to the Defendants’ alleged pre-arrest demand that Raley produce a
drivers license or other form of physical identification.

See, e.g., *Edger v. McCabe*, 84 F.4th 1230, 1231–34 (11th Cir. 2023) (finding that “officers did not
have probable cause to make arrest for obstructing a governmental function” based on plaintiffs
failure to follow officer’s commands to produce physical identification); *Jennings v. Smith*, No.
23- 14171, 2024 WL 4315127 (11th Cir. Sept. 27, 2024).

In all other respects, the Recommendation will be adopted. Accordingly, it is ORDERED as
follows: 1. For the reasons stated, the Recommendation (Doc. 11) is ADOPTED in part and
REJECTED in part, in that the Recommendation is rejected to the sole and limited extent that it
recommends dismissal of Count One in its entirety.

In all other respects, the Recommendation is ADOPTED; 2. Counts Two and Three are
DISMISSED; 3. This case is REFERRED back to the Magistrate Judge for further proceedings
limited to Count One against Defendants Jonathan Pitts, Clay Conway and Mike Cheshire as tied

to these Defendants' alleged pre-arrest demands that Raley produce a drivers license or other form of physical identification.

To the extent Count One attempts to state any other claim, Count One is DISMISSED. DONE on this the 1st day of December 2025. UNITED STATES DISTRICT JUDGE

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