

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA**

Ternecia Wilson v. Rose Gordon, et al.

Wilson · No. 1:25-CV-00792-BL-KFP · Decided April 30, 2026

SUMMARY

The United States District Court for the Middle District of Alabama overruled Ternecia Wilson’s objections to a magistrate judge’s recommendation. The court adopted the recommendation and dismissed the action without prejudice before service of process for lack of subject-matter jurisdiction and failure to follow a court order.

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION TERNECIA WILSON,)) Plaintiff,)) v.) CASE NO. 1:25-CV-00792-
BL-KFP) ROSE GORDON, et al.,)) Defendants.) ORDER Plaintiff Ternecia Wilson,
proceeding pro se and in forma pauperis, filed an Amended Complaint under 18 U.S.C. § 242, 34
U.S.C. § 12601, and 42 U.S.C. § 1983.

(Doc. 9). On February 24, 2026, the Magistrate Judge recommended that the court dismiss the Plaintiff’s case prior to service of process for lack of subject-matter jurisdiction and failure to follow a court order. (Doc. 12).

The Plaintiff filed objections to the recommendation. (Doc. 13). A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). A district judge must “make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C); see also Fed.

R. Civ. P. 72(b)(3) (“The district judge must determine de novo any part of the magistrate judge’s disposition that has been properly objected to.”). A district court’s obligation to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made” requires a district judge to “give fresh consideration to those issues to which specific objection has been made by a party.” *United States v. Raddatz*, 447 U.S. 667, 673, 675 (1980) (internal quotations and citations omitted) (emphasis in *Raddatz*).

In her objections, the Plaintiff merely restates facts that the Magistrate Judge considered in her recommendation and fails to challenge a specific factual finding or legal conclusion of the

Magistrate Judge. Because the Plaintiff failed to identify an error in the Magistrate Judge's factual findings or legal conclusions, the court OVERRULES the Plaintiff's objections, (doc.

13). After careful review of the file and upon consideration of the recommendation of the Magistrate Judge, the court ADOPTS the recommendation of the Magistrate Judge and DISMISSES this action without prejudice prior to service of process for lack of subject-matter jurisdiction and failure to follow a court order.

The Court will enter a separate final judgment. DONE and ORDERED on this the 29th day of April, 2026. / BILL LEWIS UNITED STATES DISTRICT JUDGE