

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

P. Brown Bey v. Jake A. Turner, et al.

Bey · No. 2:24-cv-00610-BL-KFP · Decided April 14, 2026

SUMMARY

The United States District Court for the Middle District of Alabama overruled the plaintiff’s objections to a magistrate judge’s recommendation and adopted that recommendation. The court granted the defendants’ motions to dismiss, dismissing the federal claims with prejudice and the state-law claims without prejudice.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama, Northern Division
WRITING FOR THE COURT	Bill Lewis
JURISDICTION	United States District Court for the Middle District of Alabama, Northern Division
DECIDED	April 14, 2026
DOCKET	2:24-cv-00610-BL-KFP
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff objected to a magistrate judge's recommendation that defendants' motions to dismiss the third amended complaint be granted. The district court overruled the objections, adopted the recommendation, and dismissed the federal claims with prejudice and the state-law claims without prejudice.
STANDARD OF REVIEW	De novo review of the portions of the magistrate judge's report or specified proposed findings and recommendations to which a specific objection is made.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	P. Brown Bey v. Jake A. Turner, Harrell, Stoudemire, Woods, BJ's Bail Bonds Inc.

TOPICS

motions to dismiss

civil procedure

pleadings

section 1983

PRACTICE AREAS

civil procedure

civil rights

federal jurisdiction

motions to dismiss

QUESTIONS PRESENTED

1. Whether the district court was required to conduct de novo review of the magistrate judge's recommendation despite Plaintiff's failure to make specific objections.
2. Whether the defendants' motions to dismiss should be granted.
3. Whether the federal-law claims should be dismissed with prejudice and the state-law claims without prejudice.

HOLDINGS

1. A district court must make a de novo determination of the portions of a magistrate judge's report or recommendation to which a party properly and specifically objects; merely restating facts without identifying an error does not present a specific objection requiring rejection of the recommendation.
2. The federal-law claims were dismissed with prejudice because any further amendment would be futile.
3. The state-law claims were dismissed without prejudice.

KEY QUOTATIONS

“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.””

*“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”*

*“As such, the court **DISMISSES** the Plaintiff’s federal law claims **WITH PREJUDICE!** and **DISMISSES** the Plaintiff’s state law claims **WITHOUT PREJUDICE.**”*

FACTUAL BACKGROUND

Plaintiff asserted federal-law and state-law claims in a third amended complaint. Defendants Turner, Harrell, Stoudemire, Woods, and BJ's Bail Bonds Inc. moved to dismiss. Plaintiff's objections to the magistrate judge's recommendation merely restated facts and did not identify a specific error in the recommendation's factual findings or legal conclusions.

PROCEDURAL HISTORY

Plaintiff filed a third amended complaint asserting claims under multiple federal laws and invoking federal-question jurisdiction. Defendants filed two motions to dismiss. The magistrate judge recommended granting both motions, and Plaintiff objected. The district court conducted the required review of the objections, found that

Plaintiff had not identified any error in the magistrate judge's factual findings or legal conclusions, adopted the recommendation, and dismissed the claims as specified.

DISPOSITION

dismissed

CASES CITED

- United States v. Raddatz, 447 U.S. 667, 673, 675 (1980)
- Daker v. Bryson, 841 F. App'x 115, 123 (11th Cir. 2020)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION P. BROWN BEY,)) Plaintiff,)) v.) CASE NO. 2:24-cv-00610-BL-
KFP) JAKE A. TURNER, et al.,)) Defendants.) ORDER On June 4, 2025, Plaintiff P. Brown
Bey filed a third amended complaint which asserted claims under multiple federal laws, which
gives this court federal question jurisdiction over the action pursuant to 28 U.S.C. § 1331.

(Doc. 73). On June 18, 2025, Defendants Turner, Harrell, Stoudemire, and Woods filed a Motion
to Dismiss the Third Amended Complaint. (Doc. 75). On July 4, 2025, Defendant BJ's Bail Bonds
Inc. filed a Motion to Dismiss the Third Amended Complaint. (Doc. 89).

On November 12, 2025, the Magistrate Judge recommended that the court grant the Defendants'
motions to dismiss (docs. 75, 89). (Doc. 105). On November 19, 2025, the Plaintiff filed
objections to the recommendation. (Doc. 107). 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 his 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.

107). 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 GRANTS the Defendants' motions to dismiss (docs. 75, 89).

As such, the court DISMISSES the Plaintiff's federal law claims WITH PREJUDICE! and DISMISSES the Plaintiff's state law claims WITHOUT PREJUDICE. The Court will enter a separate final judgment. DONE and ORDERED on this the 14th day of April, 2026. we BILL LEWIS UNITED STATES DISTRICT JUDGE ' The Magistrate Judge's recommendation is silent as to whether to dismiss the Plaintiff's federal law claims with or without prejudice.

Here, because any further amendment would be futile, the court dismisses the action with prejudice. See *Daker v. Bryson*, 841 F. App'x 115, 123 (11th Cir. 2020) (stating that the "general rule against dismissal with prejudice without notice does not apply if the claim is patently frivolous or if amendment would be futile").