

**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.

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").