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

RALPH WILSON LINGO, #190083,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO. 1:12cv810-TMH
	)	(WO)
LEON FORNISS, *et al.*,	)	
	)	
Respondents.	)	

OPINION and ORDER

On November 7, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED that the Recommendation be and is hereby ADOPTED, the petitioner's motion to dismiss be and is hereby GRANTED and the petition for habeas corpus relief be and is hereby DENIED. It is further

ORDERED that this case be and is hereby DISMISSED without prejudice to afford the petitioner an opportunity to exhaust all available state court remedies.

Done this the 4th day of December, 2012.

/s/ Truman M. Hobbs
TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE

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