

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

JEREMY CATTAGE,)	
)	
Petitioner,)	
)	
v.)	Case No. 5:22-cv-116-RDP-GMB
)	
STATE OF ALABAMA, et al.,)	
)	
Respondents.)	


MEMORANDUM OPINION

The Magistrate Judge entered a Report and Recommendation on October 27, 2022 recommending that the petition for writ of habeas corpus be dismissed with prejudice as untimely. (Doc. 12). No objections have been filed.

After careful consideration of the record in this case and the Magistrate Judge’s Report and Recommendation, the court **ADOPTS** the Report and **ACCEPTS** the Recommendation. Consistent with that recommendation, the court finds that the petition for writ of habeas corpus is due to be dismissed with prejudice. A final judgment will be entered.

This court may issue a certificate of appealability “only if the applicant has a made a substantial showing of the denial of a constitutional right.” 28 U.S.C. 2253(c)(2). To make such a showing, a “petitioner must demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong,” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that “the issues presented were adequate to deserve encouragement to proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (internal quotations omitted). The court finds the petitioner’s claims do not satisfy either standard.

DONE and **ORDERED** this November 15, 2022.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE