

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

RUSSELL WILLIAM CUTTS, JR., )

)

Petitioner, )

)

v. )

)

CIVIL ACTION NO.

1:06cv256-MHT

(WO)

KENNETH JONES, Warden, and )

TROY KING, Attorney General )

of the State of Alabama, )

)

Respondents. )

JUDGMENT

In accordance with the memorandum opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court:

(1) Petitioner's objections (Doc. No. 25) are overruled.

(2) The United States Magistrate Judge's recommendation (Doc. No. 23) is adopted.

(3) The petition for writ of habeas corpus (Doc. No. 1) is denied as time-barred.

It is further ORDERED that costs are taxed against

petitioner, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 30th day of January, 2009.

      /s/ Myron H. Thompson        
UNITED STATES DISTRICT JUDGE