

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

HOWARD GLEN TOOLE,)	
#C 917 683)	
)	
Petitioner,)	
)	CIVIL ACTION NO.
v.)	1:06cv696-MHT
)	(WO)
JAMES McDONOUGH, et al.,)	
)	
Respondents.)	

OPINION

Pursuant to 28 U.S.C.A. § 2254, petitioner, a state inmate, filed this lawsuit seeking habeas relief. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that petitioner's writ petition be denied. Also before the court are petitioner's objections to the recommendation. After an independent and de novo review of the record, the court concludes that petitioner's objections should be overruled and the magistrate judge's recommendation adopted.

An appropriate judgment will be entered.

DONE, this the 30th day of October, 2008.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE