

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

WALLACE RIVERS, #106459	)	
	)	
Petitioner,	)	
	)	Civil Action No. 1:09cv0524-ID
v.	)	
	)	
	)	
GRANT CULLIVER, WARDEN, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

Before the court are the Recommendation of the Magistrate Judge and Petitioner’s Objections. (Doc. Nos. 4 and 5.) Having conducted a *de novo* determination of those portions of the Recommendation to which objections are made, it is CONSIDERED and ORDERED as follows:

1. Petitioner’s Objections be and the same are hereby OVERRULED.
2. The Recommendation of the Magistrate Judge be and the same is hereby ADOPTED, APPROVED and AFFIRMED.
3. The petition for habeas corpus relief filed by Wallace Rivers be and the same is hereby DENIED and DISMISSED, as the Petitioner failed to obtain the requisite order from the Eleventh Circuit Court of appeals authorizing this court to consider his successive habeas application.

DONE this 25<sup>th</sup> day of June, 2009.

/s/ Ira DeMent  
SENIOR UNITED STATES DISTRICT JUDGE