

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

NEIL WALKER, #095197	)	
	)	
Petitioner,	)	
v.	)	CASE NO. 1:10-cv-124-TMH
	)	WO
STATE OF ALABAMA, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #6) to the Recommendation of the Magistrate Judge filed on February 26, 2010 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #4) filed on February 22, 2010 is adopted;
3. The 28 U.S.C. § 2254 petition for habeas corpus relief filed by Walker on February 14, 2010 is DENIED.
4. This cause of action is DISMISSED in accordance with the provisions of 28 U.S.C. § 2244 (b)(3)(A), as Walker has failed to obtain the requisite order from the Eleventh Circuit Court of Appeals authorizing a federal district court to consider his successive habeas application.

DONE this the 12th day of March, 2010.

/s/ Truman M. Hobbs

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TRUMAN M. HOBBS  
SENIOR UNITED STATES DISTRICT JUDGE