

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

DONNELL FLOURNOY, # 126385,)
)
 Petitioner,)
)
 v.)
)
 STATE OF ALA. D.O.C., *et al.*,)
)
 Respondents.)

CASE NO. 1:10-cv-144-TMH

ORDER

The Magistrate Judge entered a Recommendation (Doc. #12) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED that the RECOMMENDATION (Doc. #12) of the Magistrate Judge is ADOPTED. The petition for habeas corpus relief is DISMISSED without prejudice to afford Petitioner an opportunity to exhaust all available state court remedies.

A separate judgment shall issue.

Done this 10th day of June, 2010.

/s/ Truman M. Hobbs

UNITED STATES DISTRICT JUDGE