

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

JAMES ANTHONY FREE, #219 694)	
)	
Petitioner,)	
)	1:11-CV-37-ID
v.)	
)	(WO)
GARY HETZEL, WARDEN, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

Before the court are the Recommendation of the Magistrate Judge, (Doc. #4), and Petitioner’s Objection, (Doc. #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 Objection (Doc. #5) be and the same is hereby OVERRULED;
2. The Recommendation of the Magistrate Judge (Doc. #4) be and the same is hereby ADOPTED, APPROVED and AFFIRMED;
3. The Petitioner’s 28 U.S.C. § 2254 petition for habeas corpus relief (Doc. #1) be and the same is hereby DISMISSED in accordance with the provisions of 28 U.S.C. § 2244(b)(3)(A), as Petitioner has failed to obtain the requisite order from the Eleventh Circuit Court of Appeals authorizing a federal district court to consider his successive habeas petition.

DONE this the 14th day of February, 2011.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE