Johnson v. Hetzel, et al (INMATE 2) Doc. 9

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

DAVID LAMAR JOHNSON,	)
#255 052,	)
Petitioner,	)
	)
v.	) CIVIL ACTION NO.: 1:12-CV-1030-TMH
	)
STATE OF ALABAMA, *et al.*,	)
	)
Respondents.	)

ORDER

The Magistrate Judge entered a Supplemental Recommendation (Doc. 8) 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 finds that the Recommendation should be adopted. Accordingly, it is

ORDERED that:

1. The Supplemental Recommendation (Doc. 8) of the Magistrate Judge is ADOPTED;
2. The December 5, 2012 Recommendation of the Magistrate Judge dismissing Petitioner's 28 U.S.C. § 2254 petition for habeas corpus relief as successive in accordance with the provisions of 28 U.S.C. § 2244(b)(3)(A) (Doc. No. 4) is ADOPTED; and
3. Plaintiff's objection thereto (Doc. No. 6) is overruled.

A separate judgment shall issue.

Done this 28th day of February, 2013.

/s/ Truman M. Hobbs
TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE

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