

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

|                          |   |                  |
|--------------------------|---|------------------|
| RALPH WILSON LINGO,      | ) |                  |
|                          | ) |                  |
| Petitioner,              | ) |                  |
|                          | ) | CIVIL ACTION NO. |
| v.                       | ) | 1:14cv724-MHT    |
|                          | ) | (WO)             |
| GREGORY J. BENTON-DOTHAN | ) |                  |
| POLICE CHIEF,            | ) |                  |
|                          | ) |                  |
| Respondent.              | ) |                  |

OPINION

Pursuant to 28 U.S.C. § 1361, petitioner, a state inmate, seeks a writ of mandamus. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that the petition for writ of mandamus be denied. Also before the court is the petitioner's motion to dismiss, in which petitioner agrees that this court is without authority to issue the writ. After an independent and de novo review of the record, the court concludes that the magistrate judge's

recommendation should be adopted and petitioner's  
dismissal motion granted.

An appropriate judgment will be entered.

DONE, this the 29th day of August, 2014.

          /s/ Myron H. Thompson            
UNITED STATES DISTRICT JUDGE