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

| | | |
|---|---|---|
| RODNEY L. REESE, # 297555, | ) | |
| | ) | |
| Petitioner, | ) | |
| | ) | |
| v. | ) | CIV. ACT. NO. 1:16cv805-ECM |
| | ) | [WO] |
| WALTER MYERS, *et al*., | ) | |
| | ) | |
| Respondents. | ) | |

**OPINION and ORDER**

On January 16, 2019, the Magistrate Judge entered a Recommendation that the petitioner's habeas petition be dismissed with prejudice (doc. 15) to which no objections have been filed. Upon an independent review of the file, the Recommendation, and for good cause, it is

ORDERED as follows that:

1. the Recommendation of the Magistrate Judge be and is hereby ADOPTED;
2. to the extent that Reese seeks release from custody under ALA. CODE § 15-22-26, the petition for writ of habeas corpus be and is hereby DISMISSED for lack of jurisdiction as the petition is now moot.
3. to the extent that Reese asserts claims challenging his conviction and sentence in 2014, the petition for writ of habeas corpus be and is hereby

DENIED and this case be and is hereby DISMISSED with prejudice as the petition was filed after expiration of AEDPA's one-year limitation period.

DONE this 13th day of March, 2019.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE