

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

DAVID POTTER, #217 756,)
)
 Petitioner,)
)
 v.)
)
 STATE OF ALABAMA,)
 and WALTER MYERS,)
)
 Respondents.)

CASE NO. 1:17-CV-474-WKW
[WO]

ORDER

Before the court is the Recommendation of the Magistrate Judge. (Doc. # 12.)
There being no timely objection filed to the Recommendation, and based on an
independent review of the record, it is ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 12) is
ADOPTED;
2. The petition for habeas corpus relief (Doc. # 1) is DENIED;
3. The petition for habeas corpus relief (Doc. # 1) is DISMISSED without
prejudice to allow Petitioner an opportunity to exhaust available state court remedies
with respect to the speedy trial claim pending before this court.

A final judgment will be entered separately.

DONE this 28th day of November, 2017.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE