

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

ARTHUR BRENNAN MALLOY,	)	
	)	
Movant/Defendant,	)	
v.	)	CASE NO. 2:86-cv-1160-TMH
	)	
STATE OF ALABAMA,	)	
	)	
Respondent/Plaintiff.	)	

**ORDER**

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

(1) The movant/defendant's Objection to the Magistrate Judge Recommendation (Doc. #98) filed on February 8, 2011 is overruled;

(2) The Recommendation of the United States Magistrate Judge (Doc. #97) entered on February 1, 2011 is adopted;

(3) That the motion for relief from judgment is DENIED and this case is DISMISSED in accordance with the provisions of 28 U.S.C. § 2244(b)(3)(A), as Malloy has failed to obtain the requisite order from the Eleventh Circuit Court of Appeals authorizing a federal district court to consider his successive habeas application.

DONE this the 11th day of March, 2011.

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