

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

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 2:03cv393-WHA
)	
ELMER JAMES, JR., #10112-002,)	
)	
Defendant.)	

ORDER

Upon consideration of the Notice of Change of Address by Elmer James, Jr., the Magistrate Judge’s order of May 23, 2006 granting an extension of time to file response out of time (Doc. #23), and the Motion for Leave to File Out of Time Objections to the Recommendation of the Magistrate Judge (Doc. #24), it is ORDERED that the order of the court (Doc. #20) and Final Judgment (Doc. #21), entered by the court on April 19, 2006, are VACATED and SET ASIDE.

The court has now considered the objections included in Doc. #24 and finds them to be without merit. The objections are overruled, and the court adopts the Recommendation of the Magistrate Judge.

It is hereby ORDERED that this 28 U.S.C. § 2255 motion is DENIED, as the claims therein entitle the movant to no relief. Final Judgment will be entered accordingly.

DONE this 26th day of June, 2006.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE