

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

UNITED STATES OF AMERICA            )  
  )  
v.    ) CASE NO. 2:04-cv-1013-MEF  
  )  
JOSEPH BOOKER                            )

**ORDER**

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

(1) The petitioner's Objections to the Magistrate Judge Recommendation (Doc. #8) filed on April 17, 2006 are overruled;

(2) The Recommendation of the United States Magistrate Judge entered on March 28, 2006 (Doc. #5) is adopted;

(3) The 28 U.S.C. § 2255 motion filed by Booker on September 22, 2004 is DENIED and this case is DISMISSED with prejudice, as this court lacks jurisdiction to consider Booker's claims for relief.

DONE this the 25th day of April, 2006.

  /s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE