

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

MARCEL AUSTIN,)
)
 Petitioner,)
)
 v.) CASE NO. 2:07-CV-491-WKW (WO)
)
 STATE OF ALABAMA, *et al.*,)
)
 Respondents.)

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge (Doc. # 7), and upon an independent review of the record, it is ORDERED that the Recommendation is ADOPTED, that Petitioner's petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. # 1) is DENIED as time-barred, and that the case is DISMISSED with prejudice. An appropriate judgment will be entered.

DONE this 20th day of May 2009.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE