

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

MEGALE GARCIA RILEY,)	
)	
Petitioner,)	
v.)	CASE NO. 2:08-cv-0425-TMH
)	
KENNETH JONES, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

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

(1) The petitioner's Objection to the Magistrate Judge Recommendation (Doc. #25) filed on November 18, 2008 is overruled;

(2) The Recommendation of the United States Magistrate Judge (Doc. #18) entered on August 28, 2008 is adopted;

(3) The petition for habeas corpus relief is DISMISSED without prejudice to afford the petitioner an opportunity to exhaust all state court remedies available to him.

DONE this the 16th day of December, 2008.

/s/ Truman M. Hobbs

TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE