

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

JEFFREY SUMMLEOR, #153645,	)	
	)	
Petitioner,	)	
	)	
vs.	)	CIVIL ACTION NO. 2:08cv721-WHA
	)	(WO)
CHERYL PRICE, et al.,	)	
	)	
Respondents.	)	

**ORDER**

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #2), filed on September 5, 2008, and the letter response of the Petitioner (Doc. #3), received on September 10, 2008. In view of the Petitioner’s response, it is hereby

1. ORDERED that this 22 U.S.C. § 2254 petition for habeas corpus relief is DENIED.

2. This case is DISMISSED without prejudice for failure of the Petitioner to obtain the requisite order from the Eleventh Circuit Court of Appeals authorizing a federal district court to consider his successive habeas petition.

DONE this 11th day of September, 2008.

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