

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

BRENDA JOYCE GIVHAN, #133055,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO. 2:09cv56-TMH
	)	(WO)
FRANK ALBRIGHT, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**OPINION AND ORDER**

On April 14, 2009, the Magistrate Judge filed a Recommendation in this case recommending that the petition of habeas corpus relief filed pursuant to 28 U.S.C. § 2254 be dismissed without prejudice to afford the petitioner an opportunity to exhaust all state court remedies available to her. (Doc. # 13). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED, that the petition for habeas corpus relief be and is hereby DISMISSED without prejudice to afford the petitioner an opportunity to exhaust all state court remedies available to her.

Done this 11<sup>th</sup> day of May 2009.

/s/ Truman M. Hobbs

\_\_\_\_\_  
TRUMAN M. HOBBS  
SENIOR UNITED STATES DISTRICT JUDGE