

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

TARA WHITT, # 262993, )  
)  
Petitioner, )  
)  
v. )  
)  
CYNTHIA S. WHEELER-WHITE, *et al.*, )  
)  
Respondents. )

CASE NO. 2:09-cv-487-ID  
[WO]

**ORDER**

The Magistrate Judge entered a Recommendation (Doc. #10) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED that the RECOMMENDATION (Doc. #10) of the Magistrate Judge is ADOPTED. The petition pursuant to 28 U.S.C. § 2254 is DISMISSED without prejudice to afford Petitioner an opportunity to exhaust all state court remedies. A separate judgment shall issue.

Done this 31<sup>st</sup> day of July, 2009.

/s/ Ira DeMent  
SENIOR UNITED STATES DISTRICT JUDGE