

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

RASHAD LEE, #213823,)	
)	
Petitioner,)	
)	
v.)	CASE NO. 2:09cv591-MEF
)	(WO)
L.B. SMITHART, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

On August 29, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED that the Recommendation be and is hereby ADOPTED and that the instant 28 U.S.C. § 2254 petition for habeas corpus relief be and is hereby DENIED and this case be and is hereby DISMISSED with prejudice.

DONE this the 3rd day of October 2011.

/s/ Mark E. Fuller

UNITED STATES DISTRICT JUDGE