

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

VALERIA L. UPSHAW,)	
)	
Petitioner,)	
v.)	CASE NO. 2:09-CV-638-ID
)	(WO)
STATE OF ALABAMA, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

After an independent review of the file, it is hereby CONSIDERED and ORDERED that:

1. The petitioner's objection (Doc. #13) to the Recommendation of the Magistrate Judge, filed on August 31, 2009, is OVERRULED;
 2. The Recommendation of the Magistrate Judge (Doc. #11) filed on August 17, 2009, is ADOPTED; and
 3. The Motion to Stay Execution of Sentence (Doc. # 4) is DENIED.
- DONE this 4th day of September, 2009.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE