

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

ALFRED BOYINGTON,

)

Petitioner,

)

)

v.

)

CASE NO. 2:10-cv-152-TMH

)

)

J.A. KELLER,

)

)

Respondent.

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**ORDER**

The Magistrate Judge entered a Recommendation (Doc. #13) 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. #13) of the Magistrate Judge is ADOPTED. It is further

ORDERED that the 28 U.S.C. § 2241 petition for habeas corpus relief is DISMISSED without prejudice because this case is not ripe for review and because of Petitioner’s failure to exhaust administrative remedies in accordance with the procedures established by the BOP. A separate judgment shall issue.

Done this 15<sup>th</sup> day of September, 2010.

/s/ Truman M. Hobbs

UNITED STATES DISTRICT JUDGE