

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

VERNON WHALEY,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 2:10-CV-179-
)	TMH
)	[WO]
J.A. KELLER,)	
)	
Respondent.)	

OPINION AND ORDER

On June 14, 2010, the Magistrate Judge filed a Recommendation (Doc. 12) 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:

1. The Recommendation (Doc. 12) of the Magistrate Judge is ADOPTED; and
2. The 28 U.S.C. § 2241 petition for habeas corpus relief be 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.

An appropriate judgment will be entered.

Done this the 17th day of September, 2010.

/s/ Truman M. Hobbs
SENIOR UNITED STATES DISTRICT JUDGE