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

FANSECO M. ROSE,)	
)	
Petitioner,)	
)	CIVIL ACTION NO.
v.)	2:10cv1046-MHT
)	(WO)
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

JUDGMENT

Based upon the representations made before the United States Magistrate Judge in open court on August 8, 2011, it is the ORDER, JUDGMENT, and DECREE of the court that petitioner Fanseco M. Rose's motion to withdraw habeas petition (doc. no. 38) is granted and that the motion to vacate, set aside, or correct sentence (doc. no. 1) is withdrawn.

It is further ORDERED that petitioner Rose's motion to withdraw habeas petition (doc. no. 36) is denied as moot. It is further ORDERED that the parties are to bear their own costs.

It is further ORDERED that all other outstanding motions are denied as moot.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 10th day of August, 2011.

/s/ Myron H. Thompson UNITED STATES DISTRICT JUDGE