

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

JAMES R. RUSSELL,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 2:11cv418-WHA
)	
UNITED STATES OF AMERICA,)	(WO)
)	
Respondent.)	

ORDER

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #32), entered on June 28, 2013, and the Petitioner’s Objections (Doc. #36), timely-filed by mailing.

The court has conducted an independent evaluation and *de novo* review of the entire file, and, having done so, finds that the objections are to be OVERRULED.

The Petitioner bases his objection on the contention that he established his claim of ineffective assistance of counsel in regard to the issue of voice recognition on intercepted telephone calls. He further contends that, at the very least, an evidentiary hearing should have been conducted on the issue. The Magistrate Judge’s Recommendation includes a detailed and well-reasoned discussion of this issue, with which this court agrees. The court further agrees with the Magistrate Judge’s findings in regard to all other arguments of the Petitioner for ineffective assistance of counsel. Therefore, the court ADOPTS the Recommendation, and it is hereby

ORDERED that Petitioner’s Objections are OVERRULED, and this 28 U.S.C. § 2255 motion filed by James R. Russell is DENIED. Final Judgment will be entered accordingly.

DONE this 29th day of August, 2013.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE