

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

MICHAEL WILLIAMS, AIS #113338,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 2:11cv705-TMH
)	
BILL WYNNE, et al.,)	
)	
Respondents.)	

ORDER AND OPINION

On September 1, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 7). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that:

1. The plaintiff’s 42 U.S.C. § 1983 claims are DISMISSED pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(ii) and (iii).
2. Under the unique circumstances of this case arising from the delayed transfer to this court, this case shall henceforth proceed as a 28 U.S.C. § 2254 petition for habeas corpus relief.
3. To the extent Williams seeks relief appropriate under 28 U.S.C. § 2254, this case is referred back to the undersigned for appropriate proceedings.

Done this the 29th day of September, 2011.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE