

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

SIDNEY EUGENE CLARK,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civil Action No. 2:11cv885-MEF

ORDER

On August 13, 2012, the Magistrate Judge filed a Recommendation 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 the Recommendation be and is hereby ADOPTED and that the motion to vacate sentence filed by defendant Sidney Eugene Clark be and is hereby DISMISSED with prejudice because the motion is untimely and the sole claim presented in the motion is without merit.

Done this the 6th day of September 2012.

/s/ Mark E. Fuller

UNITED STATES DISTRICT JUDGE