

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

LEONARD HOLIDAY, # 221251,	)	
	)	
Petitioner,	)	
	)	
v.	)	CASE NO. 2:12-cv-556-TMH
	)	[wo]
WARDEN HETZEL, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**OPINION and ORDER**

On July 2, 2012 the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc.2). 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 this petition filed pursuant to 28 U.S.C. § 2254 be and is hereby DISMISSED as it represents a copy of a habeas corpus application recently filed by Petitioner which is currently pending before the court. *See Holiday v. Hetzel*, Civil Action No. 2:12-CV-529-TMH.

DONE this 31st day of August, 2012.

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