

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

SAMUEL EZELL, #10061-003,)	
)	
Petitioner,)	
v.)	CASE NO. 2:13-cv-0302-TMH
)	[WO]
UNITED STATES OF AMERICA, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The petitioner's objection (Doc. #6) filed on June 20, 2013 to the Recommendation of the Magistrate Judge is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #3) filed on May 14, 2013 is adopted;
3. The petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 is DISMISSED, as Ezell has not demonstrated his entitlement to proceed under that section and this court lacks jurisdiction to hear his challenge to his conviction and sentence pursuant to 28 U.S.C. § 2255.

DONE this the 7th day of October, 2013.

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