

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

ERCELL MANUEL, JR., #190839,

Plaintiff,

v.

STATE OF ALABAMA,

Defendant.

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CIVIL ACTION NO. 2:13cv824-MEF

**ORDER AND OPINION**

On January 3, 2014, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 6). 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 plaintiff’s petition for writ of mandamus is DISMISSED for lack of jurisdiction.

Done this the 5th day of February, 2014.

/s/ Mark E. Fuller

UNITED STATES DISTRICT JUDGE