

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

ALCHICO DEWAYNE GRANT,	)	
	)	
Petitioner,	)	
	)	
vs.	)	CASE NO. 2:14-cv-682-WHA
	)	
UNITED STATES OF AMERICA,	)	(WO)
	)	
Respondent.	)	

**ORDER**

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #18), entered on July 28, 2016, and the Petitioner’s Objection thereto (Doc. #19), filed on August 8, 2016. After conducting an independent evaluation and *de novo* review of the file in this case, the court finds the objection to be without merit.

Grant, through his § 2255 counsel, argues that the Magistrate Judge’s Recommendation to deny him relief erred by rejecting without an evidentiary hearing his claims that trial counsel, Bruce Maddox, rendered ineffective assistance by (1) inducing him to plead guilty by assuring him he would receive a sentence of no more than 15 years imprisonment and (2) failing to advise him of the possibility the district court might impose consecutive sentences. Grant maintains that the Recommendation improperly rejects these claims based on credibility determinations regarding statements by Maddox in affidavits wherein Maddox refutes Grant’s allegations. Grant contends that an evidentiary hearing is needed to resolve disputed factual issues (i.e., who is telling the truth, Grant or Maddox).

Although the Recommendation quotes from trial counsel Maddox's affidavit, it looked to other matters in the record when denying Grant relief on the two claims noted above. The Recommendation sets out the other matters which made an evidentiary hearing unnecessary and which completely refuted Grant's contentions. This court agrees with the Magistrate Judge's analysis and findings.

Therefore, it is hereby ORDERED as follows:

1. The court ADOPTS the Recommendation of the Magistrate Judge.
2. This 28 U.S.C. § 2255 motion is DENIED, and this case is DISMISSED with prejudice.

DONE this 12th day of August, 2016.

s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE