

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

NAKIA MELVIN McCLAIN,)	
)	
Petitioner,)	
)	CIVIL ACTION NO.
v.)	2:15cv716-MHT
)	(WO)
UNITED STATES OF AMERICA)	
and WARDEN DENNIS STAMPER,)	
)	
Respondents.)	

OPINION

Pursuant to 28 U.S.C. § 2241, petitioner, a federal inmate, filed this lawsuit seeking habeas relief. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that petitioner's motion to dismiss be granted and that this case be dismissed without prejudice to allow the petitioner an opportunity to pursue his claims in a second 28 U.S.C. § 2255 motion in the United States District Court for the Northern District of Florida. There are no objections to the recommendation. After an independent and de novo review of the record, the court concludes

that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 18th day of July, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE