

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

JAMES McCONICO, JR.,)
)
 Petitioner,)
)
 v.)
)
 ALABAMA BOARD OF PARDONS &)
 PAROLE, et al.,)
)
 Respondents.)

CIVIL ACTION NO.
2:19cv111-MHT
(WO)

OPINION

Pursuant to 28 U.S.C.A. § 2241, petitioner, a state inmate, filed this lawsuit seeking habeas relief, and the United States Magistrate Judge construed it as a petition under 28 U.S.C.A. § 2254. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that the petition be dismissed without prejudice to allow petitioner to exhaust available state remedies. 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 7th day of June, 2019.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE