

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

LANCE MURPHY, #157968,	)	
	)	
Petitioner,	)	
	)	
v.	)	CASE NO.: 3:09-cv-264-WHA
	)	
STATE OF ALABAMA, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

The Magistrate Judge entered a Recommendation (Doc. #4) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED that the RECOMMENDATION (Doc. #4) of the Magistrate Judge is ADOPTED. The petition pursuant to 28 U.S.C. § 2254 is DISMISSED without prejudice due to Plaintiff’s failure to prosecute this action and comply with the orders of the Court. An appropriate judgment will be entered.

Done this 10th day of June, 2009.

/s/ W. Harold Albritton  
UNITED STATES DISTRICT JUDGE