

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

MARK JACKSON, #265147, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 J.C. GILES, WARDEN, *et al.*, )  
 )  
 Respondents. )

CASE NO. 3:10-cv-1020-ID

**ORDER**

The Magistrate Judge entered a Recommendation (Doc. No. 10) 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 of the Magistrate Judge is ADOPTED and the petition for writ of habeas corpus is DISMISSED without prejudice to afford petitioner an opportunity to exhaust all available state court remedies.

A separate judgment shall issue.

Done this 2<sup>nd</sup> day of March, 2011.

/s/ Ira DeMent  
SENIOR UNITED STATES DISTRICT JUDGE