

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

EARNEST REESE, #157837,)	
)	
Petitioner,)	
v.)	CASE NO. 3:11-cv-0955-TMH
)	WO
KENNETH JONES, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The petitioner's objection (Doc. #27) filed on March 12, 2013 to the Recommendation of the Magistrate Judge is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #26) filed on March 6, 2013 is adopted;
3. The 28 U.S.C. § 2254 petition for a writ of habeas corpus is DISMISSED without prejudice to afford Reese an opportunity to exhaust all state court remedies available to him.

DONE this the 28th day of March, 2013.

 /s/ Truman M. Hobbs
TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE