

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

TIMOTHY SCOTT DENNY, )  
# 290082, )

Petitioner, )

v. )

CASE NO. 3:16-CV-692-WKW  
[WO]

PHYLLIS BILLUPS, Warden, and )  
STEVEN T. MARSHALL, )  
Attorney General of the State of )  
Alabama, )

Respondents. )

**ORDER**<sup>1</sup>

Before the court is the Recommendation of the Magistrate Judge, which was filed on June 13, 2018. (Doc. # 19.) There being no timely objection filed to the Recommendation, and based on an independent review of the record, it is ORDERED as follows:

(1) The Recommendation of the Magistrate Judge (Doc. # 19) is ADOPTED; and

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Steven T. Marshall is substituted for Luther Strange in his official capacity as the Attorney General of Alabama.

(2) The petition for habeas corpus filed by Petitioner Timothy Scott Denny pursuant to 28 U.S.C. § 2254 is DENIED, and this case is DISMISSED with prejudice.

Final judgment will be entered separately.

DONE this 9th day of July, 2018.

/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE