

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

SILAS MARTIN,)	
)	
Petitioner,)	
)	
v.)	CASE NO. 3:18-CV-410-WKW
)	[WO]
WARDEN STRICKLAND, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

On May 8, 2018, the Magistrate Judge filed a Recommendation (Doc. # 18) that Petitioner Silas Martin’s petition for a writ of habeas corpus under 28 U.S.C. § 2254 be denied and that this action be dismissed pursuant to 28 U.S.C. § 2244(b)(3)(A) because he failed to obtain authorization from the Eleventh Circuit Court of Appeals for this court to consider this successive habeas application. (Doc. # 5.) Mr. Martin timely filed an objection to the Recommendation. (Doc. # 6.) But that objection declined to address the substance of the Recommendation, instead focusing on the merits of his petition. His objection is thus due to be overruled, and the Recommendation is due to be adopted.

Accordingly, upon an independent review of the record and upon consideration of the Recommendation, it is ORDERED that:

1. Mr. Martin's objection (Doc. # 6) is OVERRULED;
2. The Magistrate Judge's Recommendation (Doc. # 5) is ADOPTED;
3. Mr. Martin's petition for writ of habeas corpus under 28 U.S.C. § 2254 is DENIED and this action is DISMISSED without prejudice for lack of subject-matter jurisdiction pursuant to 28 U.S.C. § 2244(b)(3)(A).

A final judgment will be entered separately.

DONE this 9th day of July, 2018.

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