

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

JOHNNY HUGHLEY, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondent. )

CIVIL ACTION NO.  
3:19cv506-MHT  
(WO)

OPINION

This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that petitioner's "Nunc Pro Tunc Rule 60(b)(3)(6) Motion to Dismiss Case with Prejudice" (Doc. 2), which constitutes a successive 28 U.S.C. § 2255 motion, be dismissed for lack of jurisdiction, and that, to the extent he petitions for a writ of error coram nobis, the petition should be denied. Also before the court are petitioner's objections to the recommendation, in which he moves the court to remove the magistrate judge from the case for alleged prejudice against the petitioner. The court sees no evidence of prejudice on

the part of the magistrate judge. After an independent and de novo review of the record, the court concludes that the objections should be overruled, the motion for recusal denied, and the magistrate judge's recommendation adopted.

An appropriate judgment will be entered.

DONE, this the 18th day of April, 2022.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE