

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

HERBERT FLEMING, )  
)  
Petitioner )  
)  
vs. )  
)  
CYNTHIA WHITE and THE )  
ATTORNEY GENERAL OF )  
THE STATE OF ALABAMA, )  
)  
Respondents )

Case No. 1:11-cv-03058-MHH-HGD

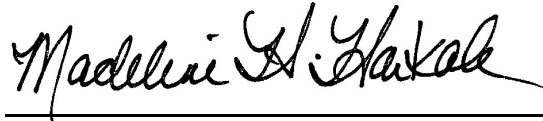
**MEMORANDUM OPINION**

On January 21, 2014, the magistrate judge’s report and recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. No objections to the magistrate judge’s report and recommendation have been filed by petitioner or respondents.

After careful consideration of the record in this case and the magistrate judge’s report and recommendation, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge that the petition for writ of habeas corpus be denied.

A separate order in conformity with this Memorandum Opinion will be entered contemporaneously herewith.

DONE and ENTERED this 21<sup>st</sup> day of February, 2014.

A handwritten signature in black ink, reading "Madeline H. Haikala". The signature is written in a cursive style with a large, stylized initial "M".

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MADELINE HUGHES HAIKALA  
U.S. DISTRICT JUDGE