

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

MICHAEL WAYNE LATHERS,)
)
Petitioner,)
vs.)
)
LEON FORNISS, Warden; and the)
ATTORNEY GENERAL OF)
THE STATE OF ALABAMA,)
)
Respondents.)

Case No. 1:13-cv-500-VEH-TMP

MEMORANDUM OPINION

The magistrate judge filed his report and recommendation on April 22, 201, recommending dismissal of petitioner's 28 U.S.C. § 2254 petition for *habeas corpus* relief. Petitioner, through counsel, filed objections on May 19, 2014, having sought and received an extension of time in which to file objections. Having now carefully considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be ADOPTED and the recommendation ACCEPTED.

It is therefore ORDERED that the petition for *habeas corpus* relief pursuant to 28 U.S.C. § 2254 in the above-styled cause be and hereby is DENIED and DISMISSED WITH PREJUDICE.

DONE the 12th day of June, 2014.



VIRGINIA EMERSON HOPKINS
United States District Judge