

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

LEANDER CALHOUN,)
)
)
 Petitioner,)
)
 vs.)
)
)
 PHYLLIS BILLUPS, Warden; and the)
 ATTORNEY GENERAL of the)
 STATE OF ALABAMA,)
)
)
 Respondents.)

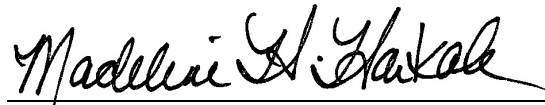
Case No. 1:13-cv-2200-MHH-TMP

MEMORANDUM OPINION

On April 15, 2014 , the magistrate judge filed his report and recommendation in the above-styled cause, recommending that this petition for *habeas corpus* relief filed pursuant to 28 U.S.C. § 2254 be denied and dismissed. To date, no objections have been filed by either party.

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the report is due to be and hereby is ADOPTED, and the recommendation is ACCEPTED. Consequently, the petition for writ of *habeas corpus* filed pursuant to 28 U.S.C. § 2254 in the above-styled cause is due to be and the same is hereby DISMISSED WITHOUT PREJUDICE due to petitioner’s failure to receive authorization from the Eleventh Circuit Court of Appeals to file a successive petition, leaving this court without jurisdiction to consider the petition.

Signed this the 6th day of May, 2014

A handwritten signature in black ink, reading "Madeline H. Haikala". The signature is written in a cursive style with a horizontal line extending from the end of the name.

MADELINE HUGHES HAIKALA
U.S. DISTRICT JUDGE .