

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

JEFFREY HILL,)
)
 Petitioner,)
)
 v.)
)
 W. T. TAYLOR, *Warden*,)
)
 Respondent.)

Case No. 1:14-cv-00477-MHH-TMP

MEMORANDUM OPINION


On March 2, 2017, the magistrate judge entered a report in which he recommended that the Court dismiss petitioner Jeffrey Hill’s 28 U.S.C. § 2241 petition for writ of habeas corpus for lack of jurisdiction. (Doc. 14). The magistrate judge advised the parties of their right to file specific written objections within fourteen (14) days. To date, neither party has filed objections to the report and recommendation. (Doc. 14, pp. 12-13).

A district court “may accept, reject, or modify, in whole or part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). A district court reviews legal conclusions in a report de novo and reviews for plain error factual findings to which no objection is made. *Garvey v. Vaughn*, 993 F.2d

776, 779 n. 9 (11th Cir. 1993); *see also* *LoConte v. Dugger*, 847 F.2d 745, 749 (11th Cir. 1988); *Macort v. Prem, Inc.*, 208 Fed. Appx. 781, 784 (11th Cir. 2006).¹

Having reviewed the materials in the Court file, including the report and recommendation, the Court finds no misstatements of law in the report and no plain error in the magistrate judge’s description of the relevant facts. Therefore, the Court adopts the magistrate judge’s report and accepts his recommendation that the Court dismiss Mr. Hill’s petition without prejudice. The Court will enter a separate final order.

DONE and **ORDERED** this March 22, 2017.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE

¹ When a party objects to a report in which a magistrate judge recommends dismissal of the action, a district court must “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. §§ 636(b)(1)(B)-(C).