

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

CHRISTOPHER SAMUEL CARTER,)
)
 Petitioner,)
)
 v.)
)
 W. T. TAYLOR,)
)
 Respondent.)

Case No.: 1:14-cv-01180-KOB-SGC

MEMORANDUM OPINION

On September 1, 2017, the magistrate judge entered a report recommending the petition for a writ of habeas corpus brought pursuant to 28 U.S.C. § 2241 (Doc. 1) be dismissed with prejudice for lack of subject matter jurisdiction. (Doc. 17). Petitioner Christopher Carter was granted fourteen days to respond with any objections. To date, no objections have been received.

After careful consideration of the record in this case and the magistrate judge’s report, the court **ADOPTS** the report of the magistrate judge and **ACCEPTS** her recommendations. The court will dismiss the petition with prejudice.

To the extent a certificate of appealability is required by Rule 11 of the *Federal Rules Governing 2255 Proceedings*, a certificate of appealability is **DENIED**. A certificate of appealability may issue “only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. §

2253(c)(2). To make such a showing, a “petitioner must demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong,” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that “the issues presented were adequate to deserve encouragement to proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (internal quotation omitted). Based on the magistrate judge’s findings and discussion, the court finds that Petitioner has failed to make the requisite showing and will issue no certificate of appealability.

The court will enter a separate Final Order.

DONE and ORDERED this 21st day of September, 2017.



KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE