

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

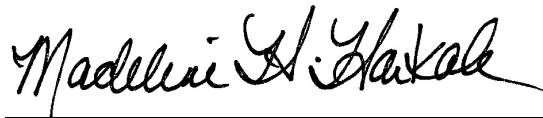
JOHN E. FRANKLIN,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No.
	)	1:16-cv-0443-MHH-JEO
	)	
V. FERNANDEZ,	)	
	)	
Respondent.	)	

**MEMORANDUM OPINION**

Petitioner John E. Franklin, a federal prisoner acting *pro se*, has filed an application for a writ of habeas corpus under 28 U.S.C. § 2241. (Doc. 1). The magistrate judge to whom the case was referred for preliminary review has filed a report and recommendation pursuant to 28 U.S.C. § 636(b). (Doc. 3). In his report, the magistrate judge recommended that the Court dismiss this action without prejudice for lack of jurisdiction because Frankin cannot satisfy the requirements of the savings clause of 28 U.S.C. § 2255(e). (Doc. 3 at 5). The magistrate judge advised Mr. Franklin that he might file objections to the report and recommendation, but no objections have been filed, and the time in which to do so has now expired.

Based on its review of the record, the Court finds that the magistrate judge's recommendation is sound. The Court accepts the magistrate judge's report and accepts his recommendation. Accordingly, the Court dismisses this petition for a writ of habeas corpus for want of jurisdiction. A separate Final Order will be entered.

**DONE**, this 27th day of May, 2016.

A handwritten signature in black ink, reading "Madeline H. Haikala". The signature is written in a cursive style with a horizontal line underneath it.

MADELINE HUGHES HAIKALA  
U.S. DISTRICT JUDGE