

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

THOMAS GADDIS,)	
)	
Petitioner,)	
)	
v.)	Case No.: 1:20-cv-00047-AKK-JEO
)	
JIMMY KILGORE,)	
)	
Respondent.)	

MEMORANDUM OPINION

This is an action for a writ of habeas corpus action filed pursuant to 28 U.S.C. § 2241 by petitioner Thomas Gaddis, *pro se*. Doc. 1. The petitioner claims his arrest warrant violated the Fourth Amendment. *Id.* at 7, 10. On March 4, 2020, the magistrate judge to whom the case was referred entered a report pursuant to 28 U.S.C. § 636(b), recommending that this habeas petition be dismissed without prejudice to allow the petitioner to exhaust his state law remedies. Doc. 14. That same date, the plaintiff filed “objections” to the respondent’s answer as well as two “notices.” Docs. 15-17. Although the petitioner was notified of his right to file objections to the report and recommendation within fourteen (14) days, doc. 14 at 6-7, no objections to the report and recommendation have been filed with the court.

The documents filed by the petitioner contemporaneously with the entry of the report and recommendation, docs. 15-17, do not address the issue of whether he

exhausted his state court remedies. Having carefully reviewed and considered *de novo* all the materials in the court file, including the magistrate judge's Report and Recommendation, the court is of the opinion that the magistrate judge's findings are due to be and are hereby **ADOPTED** and his recommendation is **ACCEPTED**. Accordingly, the petition for writ of habeas corpus is due to be **DISMISSED WITHOUT PREJUDICE** to allow the petitioner to exhaust his available state court remedies.

A separate Final Order will be entered.

DONE the 8th day of April, 2020.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE