

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

THOMAS GADDIS,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 1:21-cv-00568-LSC-SGC
	)	
JAY LACEY,	)	
	)	
Respondent.	)	

**MEMORANDUM OPINION**

The magistrate judge entered a report on May 6, 2021, recommending this federal habeas petition filed by Thomas Gaddis be dismissed for failing to assert any claims cognizable, or seek any relief available, in a federal habeas corpus action and/or for failing to exhaust state court remedies. (Doc. 3 at 7-8).<sup>1</sup> Additionally, the magistrate judge recommended a certificate of appealability be denied. (Doc. 3 at 8). While advised of his right to file specific written objections to the report and recommendation within fourteen (14) calendar days (Doc. 3 at 8), Gaddis has not submitted objections, or any other response, within the prescribed time.

After careful consideration of the record in this case and the magistrate judge’s report, the court **ADOPTS** the report and **ACCEPTS** her recommendations. In

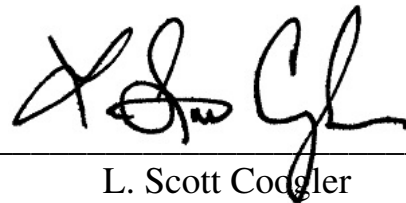
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<sup>1</sup> Gaddis’s initial petition invoked 28 U.S.C. § 2241. (Doc. 1 at 1). In a later-filed notice, Gaddis claimed he was pursuing relief under 28 U.S.C. § 2254. (Doc. 2 at 1). The magistrate judge discussed the reasons Gaddis was not entitled to relief under either statute. (Doc. 3 at 4-5).

accordance with the recommendations, the court finds Gaddis's federal habeas petition is due to be **DISMISSED**. Furthermore, because the petition does not present issues that are debatable among jurists of reason, a certificate of appealability is due to be **DENIED**. See 28 U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000); Rule 11(a), *Rules Governing § 2254 Proceedings*.

A separate order will be entered.

**DONE** and **ORDERED** on June 10, 2021.

A handwritten signature in black ink, appearing to read 'L. Scott Coddler', is written above a horizontal line.

L. Scott Coddler  
United States District Judge

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