

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

JAY W. ISBELL,)	
)	
Petitioner,)	
)	
vs.)	Case No. 2:94-cv-2448-CLS-TMP
)	
JOHN E. NAGLE, and the)	
ATTORNEY GENERAL OF THE)	
STATE OF ALABAMA,)	
)	
Respondents.)	

ORDER DENYING RULE 60(b) MOTION

On February 11, 2016, the petitioner filed a Rule 60(b)(6) motion, seeking to vacate the 1995 dismissal of his petition for writ of *habeas corpus*.¹ The magistrate judge filed his report and recommendation on April 4, 2016, recommending denial of the motion.² Petitioner filed objections on April 15, 2016.³

Having now carefully considered *de novo* all the materials in the court file, including the report and recommendation and the objections, the court is of the opinion that the magistrate judge's report is due to be, and it hereby is, ADOPTED, and the recommendation is ACCEPTED. Accordingly, it is ORDERED that the


¹ Doc. no. 25.

² Doc. no. 26.

³ Doc. no. 27.

motion for relief from the judgment filed pursuant to Rule 60(b)(6) is DENIED.

DONE this 15th day of December, 2016.

A handwritten signature in black ink, reading "Lynwood Smith". The signature is written in a cursive style with a large initial "L".

United States District Judge