

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

MICHAEL ANTHONY BAILEY,]
]
 Petitioner,]
]
vs.]
]
]
]
UNITED STATES OF AMERICA,]
]
]
 Respondent.]

CV-10-IPJ-MHH-8043-S
CR-08-IPJ-PWG-0408-S

MEMORANDUM OPINION

The magistrate judge entered a report and recommendation, recommending that this § 2255 motion to vacate be denied due to the court lacking jurisdiction as the petitioner has been released from custody. No objections to the report and recommendation have been received.¹ The court has considered the entire file in this action, together with the report and recommendation, and has reached an independent conclusion that the report and recommendation is due to be adopted and approved. Accordingly, the court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court.

The motion to vacate is due to be DENIED. An appropriate order will be entered.
Done this 10th day of September, 2013.



INGE PRYTZ JOHNSON
SENIOR U.S. DISTRICT JUDGE

¹After petitioner’s release from custody, he failed to provide the court with a valid mailing address.