

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

RODNEY LYNN PRUITT,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. CV-11-S-4256-S
)	
WARDEN SHARON PRICE, et al.,)	
)	
Respondents.)	


MEMORANDUM OPINION

This matter is a habeas corpus petition. The magistrate judge entered a report and recommendation recommending that the action be dismissed to allow the petitioner to exhaust the remedies available in state court.¹ No objections have been filed. The court has considered the entire file in this action, including 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 habeas petition is due to be dismissed without prejudice. An appropriate order will be entered forthwith.

¹ See doc. no. 5 (Report and Recommendation).

DONE this 7th day of May, 2012.

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