

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

JOHN HICKS, )  
)  
Petitioner, )  
vs. )  
)  
GARY HETZEL, *et al.*, )  
)  
Respondents. )

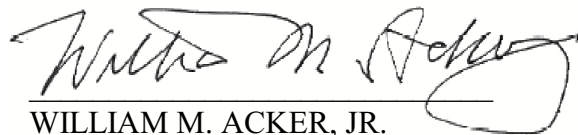
Case No. 2:12-cv-03795-WMA-TMP

**MEMORANDUM OPINION**

On November 12, 2015, the magistrate judge filed his Report and Recommendation in the above-styled cause, recommending that this petition for *habeas corpus* relief filed pursuant to 28 U.S.C. § 2254 be dismissed without prejudice. To date, no objections have been filed by either party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the Report and Recommendation, the Court is of the opinion that the report is due to be and is hereby ADOPTED, and the recommendation is ACCEPTED. Consequently, the petition for writ of *habeas corpus* filed pursuant to 28 U.S.C. § 2254 will be dismissed without prejudice by separate order.

DONE this 7th day of December, 2015.

  
WILLIAM M. ACKER, JR.  
UNITED STATES DISTRICT JUDGE