

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

RANDY REED,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No.2:14-cv-01559-WMA-SGC
	)	
ROXANNA BENDER, Director,	)	
et al.,	)	
	)	
Respondents.	)	

**MEMORANDUM OPINION**

On February 6, 2015, the magistrate judge entered a report recommending this petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by *pro se* petitioner Randy Reed ("Petitioner") be denied and dismissed without prejudice. (Doc. 11). Specifically, the magistrate judge found that much of the relief sought by Petitioner could not be granted via a writ of habeas corpus. (Doc. 11 at 5-6). Furthermore, to the extent the relief sought could be granted, the magistrate judge found the claims to be time-barred. (*Id.*).

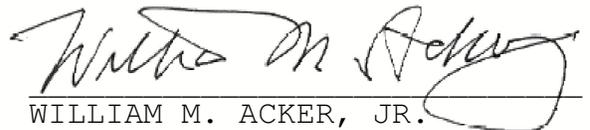
Although he was afforded fourteen (14) days to object to the report and recommendation, Petitioner filed nothing within that period. (Doc. 11 at 6). Instead, Petitioner filed a notice addressed to the Clerk of Court and signed on March 3, 2015—nearly a month after the report and recommendation was filed. (Doc. 12). The notice does not specifically present any objections to the report and recommendation but instead requests a blank § 2254 form. This request appears to be related to the order to show cause

entered by the magistrate judge prior to the report and recommendation. The show cause order, which noted the deficiencies upon which the report and recommendation later relied, offered Petitioner the alternative of amending the petition; a blank § 2254 form was attached to the order. (Doc. 9). In response to the order to show cause, Petitioner filed a pleading which was substantially similar to his initial petition and which did not address the deficiencies noted by the magistrate judge. (Doc. 10). Accordingly, because any amendment would appear to be futile and because the time to amend has passed, Petitioner's request for a blank § 2254 form is **DENIED**.

After consideration of the entire court file and the report and recommendation, the court hereby **ADOPTS** the report of the magistrate judge and **ACCEPTS** her recommendations. To the extent Petitioner's filing of March 6, 2015, could be construed as interposing objections, any objections are **OVERRULED**; to the extent the filing could be construed as a motion, it is **DENIED**. Accordingly, the petition will be denied and Petitioner's claims will be dismissed without prejudice. For the reasons set forth in the report and recommendation, a certificate of appealability is **DENIED**.

A separate order will be entered.

Done this 9th day of April, 2015.

A handwritten signature in black ink, appearing to read "William M. Ackers, Jr.", written over a horizontal line.

WILLIAM M. ACKER, JR.  
UNITED STATES DISTRICT JUDGE