

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

TIMOTHY RAY BALLARD, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 THE STATE OF ALABAMA, )  
 )  
 Defendant. )

Case No. 2:15-cv-0324-SLB-TMP

**MEMORANDUM OPINION**

The magistrate judge filed his report and recommendation on December 14, 2015, recommending dismissal of petitioner's 28 U.S.C. § 2254 petition for *habeas corpus* relief. (Doc. 8).

Petitioner requested and received an extension of time in which to file objections and, on January 25, 2016, he timely filed objections to the report and recommendation. (Doc. 11).

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 **ADOPTED** and the recommendation **ACCEPTED**. The claims for habeas corpus relief pursuant to 28 U.S.C. § 2254 in the above-styled cause is due to be denied and dismissed with prejudice. A final judgment will be entered accordingly.

DONE the 2nd day of February, 2016.

  
SHARON LOVELACE BLACKBURN  
SENIOR UNITED STATES DISTRICT JUDGE