

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

<b>COREY EUGENE BENTON,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 2:19-cv-00889-RDP-HNJ</b>
	)	
<b>STATE OF ALABAMA,</b>	)	
	)	
<b>Respondent.</b>	)	

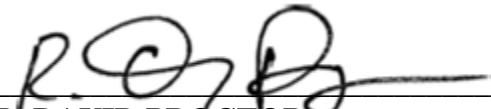
**MEMORANDUM OPINION**

On May 7, 2020, the Magistrate Judge entered a Report and Recommendation (Doc. 12) recommending the petition for writ of habeas corpus (Doc. 1) be dismissed without prejudice for failure to comply with 28 U.S.C. § 2244(b)(3)(A). (Doc. 12 at 5-6). Petitioner was informed of his right to object. (Doc. 12 at 7-8). No objections have been filed.

After careful consideration of the record in this case and the Magistrate Judge’s Report and Recommendation, the court hereby **ADOPTS** the Report of the Magistrate Judge and **ACCEPTS** his Recommendation. In accordance with the Recommendation, the court finds that the petition for writ of habeas corpus is due to be dismissed without prejudice.

A separate final judgment will be entered.

**DONE** and **ORDERED** this June 10, 2020.

  
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**R. DAVID PROCTOR**  
 UNITED STATES DISTRICT JUDGE