

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

EDWARD LAVAR KING,]	
]	
Petitioner,]	
]	
v.]	4:11-cv-4225-RBP-RRA
]	
KENNETH JONES, et al.,]	
]	
Respondents.]	

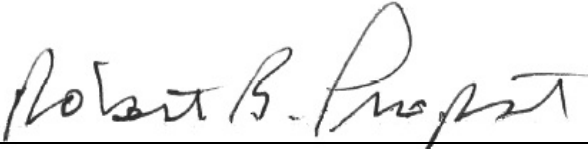
MEMORANDUM OPINION

This is a habeas corpus petition. The magistrate judge entered a report and recommendation and an amended report and recommendation, recommending that the action be dismissed to allow the petitioner to exhaust the remedies available in state court. Although the petitioner filed “objections” to the original report and recommendation, his only “objection” was that the magistrate judge had misconstrued one of his claims. The magistrate judge then issued an amended report and recommendation, explaining that regardless of which claim the petitioner actually intended to raise, the petition is still due to be dismissed to allow the petitioner to exhaust the remedies still available to him in state court. The petitioner has not objected to the amended report and recommendation.

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. This habeas petition is due to be dismissed without prejudice. An appropriate order will be entered.

Done this 14th day of May, 2012.



ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE