

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

DALE LYNN HOPSON,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:21-cv-01594-LCB-NAD
)	
JOSEPH H. HEADLEY, Warden, et al.,)	
)	
Respondents.)	
)	

MEMORANDUM OPINION

Petitioner Dale Lynn Hopson, proceeding *pro se*, filed this action for a writ of habeas corpus on or about December 29, 2021. Doc. 1. Hopson challenges his conviction by a Marshall County jury for murder and his resulting life without parole sentence. On April 25, 2022, the magistrate judge to whom the case was referred filed a report and recommendation pursuant to 28 U.S.C. § 636(b), recommending that the habeas petition be dismissed without prejudice to allow the petitioner to exhaust his state court remedies. Doc. 7. Although the petitioner was notified of his right to file objections within 14 days, that time has expired with no objections having been filed.

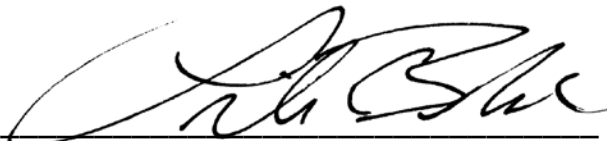
Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court concludes that the

magistrate judge's findings are due to be and are hereby **ADOPTED** and the recommendation is **ACCEPTED**.

Accordingly, the petition for writ of habeas corpus is due to be **DISMISSED WITHOUT PREJUDICE**. Further, because the petition does not present issues that are debatable among jurists of reason, a certificate of appealability is also due to be **DENIED**. *See* 28 U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000); Rule 11(a), *Rules Governing § 2254 Proceedings*.

A separate Final Judgment will be entered.

DONE and **ORDERED** May 19, 2022.



LILES C. BURKE
UNITED STATES DISTRICT JUDGE