

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

DAVID OTTO JACOBSON,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:24-cv-002-AMM-JHE
)	
JONATHAN W. HORTON,)	
)	
Respondent.)	

MEMORANDUM OPINION

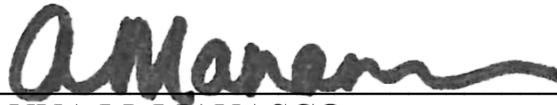
Petitioner David Otto Jacobson filed a petition and supplemental petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Docs. 1, 9. On February 18, 2025, the magistrate judge entered a report recommending the court dismiss Mr. Jacobson’s claims in the petition and supplemental petition as moot and for failure to state a claim upon which relief may be granted. Doc. 28. The magistrate judge further recommended the court deny Mr. Jacobson’s motions to stay, Docs. 26 & 27, as moot. Doc. 28. No objections have been filed.

After careful consideration of the record in this case and the magistrate judge’s report, the court **ADOPTS** the report and **ACCEPTS** the recommendation. Consistent with that recommendation, the court finds that the claims in the petition and supplemental petition are due to be dismissed as moot and for failure to state a claim upon which relief may be granted. The court further finds that Mr. Jacobson’s

motions to stay, Docs. 26 & 27, are due to be denied as moot. A Final Judgment will be entered.

This court may issue a certificate of appealability “only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). To make such a showing, a “petitioner must demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong,” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that “the issues presented were adequate to deserve encouragement to proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (internal quotations omitted). The court finds Mr. Jacobson’s claims do not satisfy either standard.

DONE and ORDERED this 11th day of March, 2025.



ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE