

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

MARVIN FORTENBERRY,)
)
Petitioner,)
vs.)
)
BILLY MITCHEM, et al.,)
)
Respondents.)
)

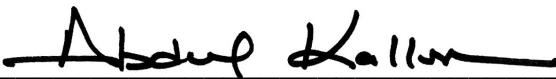
Civil Action Number
5:11-cv-3561-AKK-HGD

MEMORANDUM OPINION

On July 8, 2013, the magistrate judge entered a report and recommendation and gave the parties until July 22, 2013 to file objections. Doc. 16. Neither party has filed any objections.

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. The court further **ACCEPTS** the recommendation of the magistrate judge to **DENY** Fortenberry's petition for writ of habeas corpus because his claims are either unsupported or procedurally defaulted.

DONE the 30th day of July, 2013.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE