

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

ELZIE STEPHEN RODGERS, JR.,)

Petitioner,)

v.)

Case No. 5:12-cv-04093-CLS-HGD

KIM TOBIAS THOMAS,)

Commissioner, Alabama)

Department of Corrections, and)

THE ATTORNEY GENERAL)

FOR THE STATE OF ALABAMA,)

Respondents.)

MEMORANDUM OPINION


On January 16, 2014, the magistrate judge’s report and recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. After obtaining extensions of time in which to do so, petitioner filed objections to the magistrate judge’s report and recommendation on March 21, 2014.¹

¹ While the objections were docketed on March 24, 2014, the envelope in which petitioner mailed the objections is postmarked March 21, 2014. *See Houston v. Lack*, 487 U.S. 266, 108 S.Ct. 2397, 101 L.Ed.2d 245 (1988).

After careful consideration of the record in this case and the magistrate judge's report and recommendation and petitioner's objections thereto, the court hereby ADOPTS the report of the magistrate judge and ACCEPTS his recommendation that the petition for writ of habeas corpus be denied.

A separate order in conformity with this Memorandum Opinion will be entered contemporaneously herewith.

DONE this 25th day of March, 2014.



United States District Judge