

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

CHRISTOPHER D. BANKS,)
)
 Petitioner,)
)
 v.)
)
 STATE OF ALABAMA, et al.,)
)
 Respondents.)

Case No. 5:14-cv-00329-VEH-JEO

MEMORANDUM OPINION

This case is before the court on the magistrate judge’s Report and Recommendation. (Doc. 9). While objections to the Report and Recommendation were due by June 2, 2014, none have been filed.¹

The court has considered the entire file in this action together with the Magistrate Judge’s Report and Recommendation (doc. 9) and has reached an independent conclusion that the Report and Recommendation is due to be adopted and approved. The court hereby **ADOPTS** and **APPROVES** the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accordance with the recommendation, this petition for writ of habeas corpus is due to be dismissed with prejudice. An appropriate order will be entered.

The court further finds that Petitioner has failed to make a substantial showing of the denial of a constitutional right. Accordingly, the court **DECLINES** to issue a Certificate of Appealability.

¹ On 06/16/2014, Petitioner filed a Request for a Book of Stamps and a Statement of Claims. (Docs. 10 and 11). The Request was denied by Order dated 06/17/2014. (Order, doc. 11). The request for appointment of counsel, contained within the Statement of Claims, was denied by Order dated 06/17/2014. (Order, doc. 12). On 06/30/2014, Petitioner filed a document entitled “Plaintiff(s) Appropriate Completed.” (Doc. 13). Nowhere in any of these documents filed by Petitioner has he responded to the Magistrate Judge’s Report and Recommendation that his § 2254 Petition be dismissed as untimely. The requests contained within document 13 are hereby **DENIED**.

See 28 U.S.C. § 2253(c)(2).

DONE this the 3rd day of July, 2014.



VIRGINIA EMERSON HOPKINS
United States District Judge