

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

**BRANDON H. MUSTON,** )  
 )  
 **Petitioner,** )  
 )  
 **v.** )  
 )  
 **STATE OF ALABAMA,** )  
 )  
 **Respondent.** )

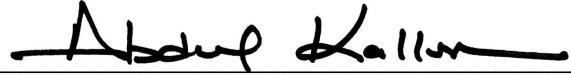
**Case No. 2:15-cv-02043-AKK-TMP**

**MEMORANDUM OPINION**

On January 1, 2016, the magistrate judge filed his Report and Recommendation in the above-styled cause, recommending that this petition for *habeas corpus* relief filed pursuant to 28 U.S.C. § 2254 be dismissed without prejudice. To date, no objections to the Report and Recommendation have been filed. Having now carefully reviewed and considered *de novo* all the materials in the court file, including Petitioner’s objections and the Report and Recommendation, the Court is of the opinion that the report is due to be **ADOPTED**, and the recommendation **ACCEPTED**. Consequently, the petition for writ of *habeas corpus* filed pursuant to 28 U.S.C. § 2254 in the above-styled cause is due to be **DISMISSED WITHOUT**

**PREJUDICE.** An order of final judgment will be entered contemporaneously herewith.

**DONE** the 11th day of February, 2016.

A handwritten signature in black ink, appearing to read "Abdul Kallon", written over a horizontal line.

**ABDUL K. KALLON**  
UNITED STATES DISTRICT JUDGE