

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

LARRY DOVER,)	
)	
Petitioner,)	
)	
v.)	5:16-cv-01541-KOB-JEO
)	
WARDEN DEWAYNE ESTES, et al.)	
)	
Respondents.)	

MEMORANDUM OPINION

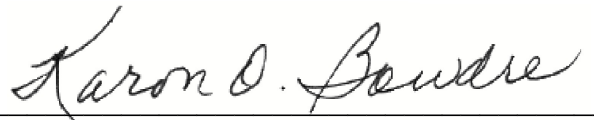
Petitioner Larry Dover, an Alabama state prisoner acting *pro se*, filed this habeas action pursuant to 28 U.S.C. § 2254. (Doc. 1). On October 19, 2016, the magistrate judge entered a Report and Recommendation, in which he recommended that the court dismiss this action for lack of jurisdiction because Dover's § 2254 habeas application is successive and he lacks an authorizing order from the appropriate court of appeals, as required by 28 U.S.C. § 2244(b). (Doc. 5). The magistrate judge extended the deadline by which Dover had to file objections to the Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1), but he has filed no objections. (*See* Doc. 5 at 5-6; Docs. 6, 7).

Having carefully reviewed and considered *de novo* all the materials in the court file, including the magistrate judge's report and recommendation, the court ADOPTS the magistrate judge's report and ACCEPTS his recommendation. Accordingly, the

court finds that this successive petition for a writ of habeas corpus is due to be **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction.

The court will enter a separate Final Order.

DONE and ORDERED this 15th day of December, 2016.

A handwritten signature in cursive script that reads "Karon O. Bowdre".

KARON OWEN BOWDRE

CHIEF UNITED STATES DISTRICT JUDGE