

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

<b>JAMES HUGO STERLING,</b>	}	
	}	
<b>Petitioner,</b>	}	
	}	
<b>v.</b>	}	<b>Case No.: 5:17-cv-00268-RDP-TMP</b>
	}	
<b>STATE OF ALABAMA,</b>	}	
	}	
<b>Respondent.</b>	}	

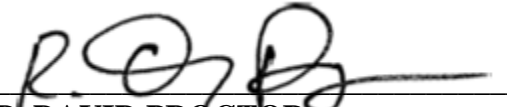
**MEMORANDUM OPINION**

On March 28, 2017, 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. (Doc. # 4). No objections were filed.<sup>1</sup>

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 recommendations of the Magistrate Judge that the petition for writ of habeas corpus be denied and dismissed without prejudice for failure to pay the filing fee.

A separate order in accordance with the Memorandum Opinion will be entered.

**DONE** and **ORDERED** this April 13, 2017.


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**R. DAVID PROCTOR**  
 UNITED STATES DISTRICT JUDGE

<sup>1</sup> The court notes that Petitioner, a pretrial detainee, does not receive the benefit of the mailbox rule because he is currently represented by counsel. *See Williams v. Russo*, 636 F. App’x 527, 531 (11th Cir. 2016) (asserting that the mailbox rule only applies to filings submitted by *pro se* prisoners).