

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

SCOTTY DALE MOSS,)	
)	
Petitioner,)	
)	
v.)	Case No. 5:24-cv-584-RDP-GMB
)	
WARDEN ANTONIO MCCLAIN, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION


The Magistrate Judge entered a Report and Recommendation (Doc. 13) on January 8, 2025 recommending that the petition for writ of habeas corpus (Doc. 1) be denied and dismissed with prejudice. No objections have been filed.

After careful consideration of the record in this case and the Magistrate Judge’s Report and Recommendation, the court **ADOPTS** the Report and **ACCEPTS** the recommendation. Consistent with that recommendation, the court finds that the petition for writ of habeas corpus (Doc. 1) is due to be denied and the claims dismissed with prejudice.

A final judgment will be entered.

This court may issue a certificate of appealability “only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. 2253(c)(2). To make such a showing, a “petitioner must demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong,” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that “the issues presented were adequate to deserve encouragement to proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (internal quotations omitted). The court finds the Petitioner’s claims do not satisfy either standard.

DONE and **ORDERED** this January 29, 2025.



R. DAVID PROCTOR
CHIEF U.S. DISTRICT JUDGE