

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
JASPER DIVISION

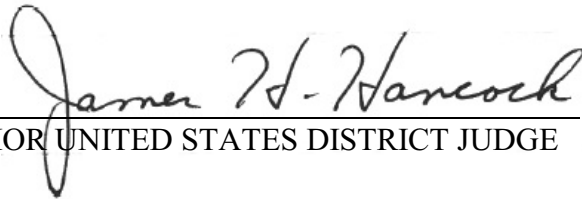
TOMMY JAMES GILLENTINE,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. 6:11-cv-1316-JHH-TMP
	)	
BILLY MITCHEM, Warden, and the	)	
ATTORNEY GENERAL OF THE STATE	)	
OF ALABAMA,	)	
	)	
Respondents.	)	

**ORDER**

On June 19, 2012 , 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 denied and dismissed as successive. To date, no objections have been filed by either party.

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the report is due to be and hereby is ADOPTED, and the recommendation is 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 and the same is hereby DENIED and DISMISSED WITHOUT PREJUDICE.

**DONE** this the 11th day of July, 2012.

  
 SENIOR UNITED STATES DISTRICT JUDGE