

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

MASHELL R. MANN,)	
)	
Petitioner,)	
)	
v.)	
)	Case No. 6:18-cv-00414-MHH-JEO
WARDEN CHADWICK CRABTREE,)	
et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

The magistrate judge filed a report on April 19, 2018 in which he recommended that the Court dismiss without prejudice petitioner Mashell R. Mann’s 28 U.S.C. 2254 petition for writ of habeas corpus. (Doc. 8). The magistrate judge found that Ms. Mann has not exhausted state court remedies available to her. The magistrate judge advised Ms. Mann of her right to file objections to his report within 14 days. (Doc. 8, pp. 3-4). To date, Ms. Mann has not filed objections to the report and recommendation.


A district court “may accept, reject, or modify, in whole or part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). A district court reviews legal conclusions in a report de novo and reviews for plain error factual findings to which no objection is made. *Garvey v. Vaughn*, 993 F.2d

776, 779 n.9 (11th Cir. 1993); *see also* *LoConte v. Dugger*, 847 F.2d 745, 749 (11th Cir. 1988); *Macort v. Prem, Inc.*, 208 Fed. Appx. 781, 784 (11th Cir. 2006).¹

Having reviewed the record in this case, the Court finds no misstatements of law in the report and no plain error in the magistrate judge's description of the relevant facts. Therefore, the Court adopts the magistrate judge's report and accepts his recommendation that the Court dismiss without prejudice Ms. Mann's petition for writ of habeas corpus.

The Court will enter a separate final order.

DONE and **ORDERED** this May 29, 2018.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE

¹ When a party objects to a report, a district court must “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. §§ 636(b)(1)(B)-(C).