

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

HASALEE MIMS,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case Number: 7:14-cv-00046-WMA-JHE
	)	
WARDEN LEE POSEY DANIELS and	)	
THE ATTORNEY GENERAL FOR THE	)	
STATE OF ALABAMA,	)	
	)	
Respondents.	)	

**MEMORANDUM OPINION**

On May 2, 2014, the magistrate judge entered a Report and Recommendation, (doc. 11), recommending that the petition for writ of habeas corpus be dismissed with prejudice. The Report and Recommendation was returned as undeliverable marked “Moved-no address.” (Doc. 12). Thereafter, the court received a notice of change of address from Petitioner. (Doc. 13). On May 15, 2014, the court resent the Report and Recommendation to Petitioner at the newly provided address. The time to object to the Report and Recommendation has passed, and no objections have been filed. The court has considered the entire file in this action, together with the report and recommendation, and has reached an independent conclusion that the report and recommendation is due to be adopted and approved.

Accordingly, the court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of this court. The petition for writ of habeas corpus is due to be DISMISSED. A separate Order will be entered.

This Court may issue a certificate of appealability “only if the applicant has a made a substnaital showing of the dentail of a constitutional right.” 28 U.S.C. 2253(c)(2). To make such

a showing, a “petitioner must demonstrate that reasonable jurist would find the district court’s assessment of the constitutional claims debatable and 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). This Court finds Petitioner’s claims do not satisfy either standard.

DONE this 5th day of June, 2014.

  
WILLIAM M. ACKER, JR.  
UNITED STATES DISTRICT JUDGE