

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

DARYL LEWIS, )  
)  
Petitioner, )  
vs. )  
)  
BILLUPS, *Warden*; and the )  
ATTORNEY GENERAL of the )  
STATE OF ALABAMA )  
)  
Respondents. )

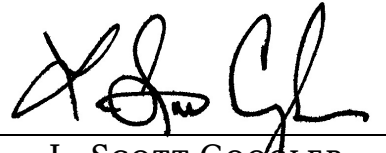
Case No. 7:14-cv-00867-LSC-TMP

**MEMORANDUM OPINION**

On June 23, 2014, 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 dismissed without prejudice. 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 hereby is DISMISSED WITHOUT PREJUDICE. An order of final judgment will be entered contemporaneously herewith.

Done this 14th day of July 2014.

A handwritten signature in black ink, appearing to read 'L. Scott Coogler', written over a horizontal line.

L. SCOTT COOGLER  
UNITED STATES DISTRICT JUDGE  
[160704]