

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

MELISSA KELLY HOYLE,)	
)	
Petitioner,)	
)	
v.)	Case No. 7:21-cv-01470-MHH-HNJ
)	
WARDEN OF FCI ALICEVILLE,)	
)	
Respondent.)	

MEMORANDUM OPINION AND ORDER

On May 11, 2022, the Magistrate Judge entered a report in which he recommended that the Court deny petitioner Melissa Kelly Hoyle’s motion for hardship credit and dismiss this habeas proceeding without prejudice. (Docs. 21, 23). The Magistrate Judge also recommended that the Court deny Ms. Hoyle’s request for appointment of an attorney. (Doc. 23, p. 16). Neither party has filed objections to the report.

Having considered the record in this case, the Court adopts the Magistrate Judge’s report and accepts his recommendation. Consistent with that recommendation, by separate order, the Court will dismiss Ms. Hoyle’s 28 U.S.C.

§ 2241 petition without prejudice.¹ The Court denies Ms. Hoyle's request for appointment of an attorney.

DONE and **ORDERED** this June 10, 2022.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE

¹ In his report, the Magistrate Judge explained to Ms. Hoyle that she may pursue her allegations regarding prison conditions in a *Bivens* action after she exhausts her administrative remedies. (Doc. 23, pp. 13, 16 & n.8).