

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

CHERYL SINGLETON,)	
)	
Petitioner,)	
)	
v.)	Case No. 7:22-cv-00844-LCB-HNJ
)	
WARDEN KIMBERLY NEELY,)	
)	
Respondent.)	

MEMORANDUM OPINION

The Magistrate Judge entered a report (Doc. 28) on December 21, 2023, recommending that the court **DISMISS WITHOUT PREJUDICE** petitioner Cheryl Singleton’s (“Singleton”) petition for a writ of habeas corpus brought pursuant to 28 U.S.C. § 2241 (Doc. 1) pursuant to Rule 41(b) of the *Federal Rules of Civil Procedure* for Singleton’s failure to prosecute her claims. In the alternative, the report recommended that the court **DISMISS WITHOUT PREJUDICE** Singleton’s petition as **MOOT**. No objections have been filed.¹

After careful consideration of the record in this case and the Magistrate Judge’s report, the court **ADOPTS** the report and **ACCEPTS** the recommendation.

¹ The Clerk of Court mailed Singleton the December 21, 2023, Report and Recommendation at both her address on file and at the address for the RRM Atlanta. (*See* Doc. 28 at 15). On January 2, 2024, the United States Postal Service returned the report sent to the RRM Atlanta address as undeliverable with the notation “Refused.” (Doc. 29). The court does not have and could not locate an alternative address for Singleton.

Consistent with that recommendation, the court finds that Singleton's petition for a writ of habeas corpus brought pursuant to 28 U.S.C. § 2241 (Doc. 1) is due to be **DISMISSED WITHOUT PREJUDICE** for her failure to prosecute her claims. In the alternative, the court finds that Singleton's petition for a writ of habeas corpus brought pursuant to 28 U.S.C. § 2241 is due to be **DISMISSED WITHOUT PREJUDICE** as **MOOT**. A final judgment will be entered.

DONE and **ORDERED** February 7, 2024.

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

LILES C. BURKE
UNITED STATES DISTRICT JUDGE