

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

THOMAS SINCLAIR, :

Petitioner, :

vs. : **CIVIL ACTION NO. 07-0214-CG-B**

WARDEN JERRY FERRELL, :

Respondent. :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated March 15, 2010 is **ADOPTED** as the opinion of this court.

The court further finds that the petitioner is not entitled to a certificate of appealability.

DONE and ORDERED this the 13th day of April, 2010.

/s/ Callie V. S. Granade

UNITED STATES DISTRICT JUDGE