

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

<b>JAMES OLIVER.,</b>	)	
<b>    AIS #186094,</b>	)	
	)	
<b>        Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 09-00052-KD-N</b>
	)	
<b>JOHN CUMMINS,</b>	)	
	)	
<b>    Respondent.</b>	)	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the recommendation to which objection is made, the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated October 28, 2009, is **ADOPTED** as the opinion of this Court.

**DONE** this 19th day of November, 2009.

**s/ Kristi K. DuBose**  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**