

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

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

**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**