

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

**CATRINA SMALLWOOD,** :

**Petitioner,** :

**v.** : **CIVIL ACTION 09-0273-CG-M**

**CYNTHIA S. WHEELER-WHITE,** :

**Respondent.** :

**ORDER**

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

It is **ORDERED** that this habeas petition be **DENIED** and that this action be **DISMISSED**.

**DONE and ORDERED** this 16<sup>th</sup> day of October, 2009.

/s/ Callie V. S. Granade  
CHIEF UNITED STATES DISTRICT JUDGE