

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

GARY LEWIS MARSHALL,)
)
 Petitioner,)
)
 vs.)
)
 KENNETH JONES, and the)
 ATTORNEY GENERAL of)
 ALABAMA,)
)
 Respondents.)

Civil Action 10-00496-KD-N

JUDGMENT

In accordance with the order entered on this date, it is **ORDERED, ADJUDGED** and **DECREED** that defendant’s motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2254 be **DENIED** and **DISMISSED with prejudice**. Petitioner is not entitled to a certificate of appealability or to appeal in forma pauperis .

DONE this 11th day of March, 2011.

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